



**Australian  
Communications  
and Media Authority**

# **Annual report**

## 2013–14

**communicating | facilitating | regulating**

**Australian  
Communications  
and Media Authority**

**Annual report**  
2013–14



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Written enquiries may be sent to:

Manager, Editorial Services

PO Box 13112

Law Courts

Melbourne VIC 8010

T: 03 9963 6968

E: [candinfo@acma.gov.au](mailto:candinfo@acma.gov.au)

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**Australian  
Communications  
and Media Authority**

Level 5  
The Bay Centre  
65 Pirrama Road  
Pyrmont NSW 2009

PO Box Q500  
Queen Victoria Building  
NSW 1230

T +61 2 9334 7900  
F +61 2 9334 7711

[www.acma.gov.au](http://www.acma.gov.au)

**Chairman**

30 September 2014

The Hon. Malcolm Turnbull, MP  
Minister for Communications  
Parliament House  
Canberra ACT 2600

Dear Minister

In accordance with subsection 57(1) of the *Australian Communications and Media Authority Act 2005*, I am pleased to present the annual report on the operations of the Australian Communications and Media Authority (the ACMA) for the 2013–14 reporting year.

Please note that subsection 57(3) of that Act requires that you table the report in each House of Parliament within 15 days of receiving it.

In line with the *Commonwealth Fraud Control Guidelines 2011*, I certify that the ACMA has fraud risk assessments and fraud control plans in place including appropriate fraud prevention, detection, investigation, reporting and data collection procedures and processes that meet the specific needs of the agency. The ACMA has taken all reasonable measures to minimise the incidence of fraud in the agency, and to investigate and recover the proceeds of fraud against the agency.

Yours sincerely

**Chris Chapman**  
Chairman



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**Chairman's  
foreword**

The Australian Communications and Media Authority, created as a ‘converged’ regulator, continued to engage energetically during 2013–14 with the challenge of constant pressures for change, bridging the ‘legacy worlds’ of telecommunications, broadcasting, radiocommunications and the internet to emerging technologies and social trends.

The ACMA’s practical thought-leadership work in the ‘first principles’ *Contemporary community safeguards inquiry* review of the framework of broadcasting codes regulation was brought to a successful resting point with publication in March 2014 of our consolidated report. This outlined the directions emerging from the inquiry, associated consultation and our very useful research findings.

Recent high-profile outcomes demonstrate the rigour of our work in broadcasting investigations, which are frequently matters of considerable public interest. In June 2014, the Federal Court of Australia dismissed three separate applications for judicial review of adverse investigation findings. These matters covered compliance with requirements in the Commercial Television Industry Code of Practice 2010 to present factual material accurately and represent viewpoints fairly.

There was generally supportive stakeholder reception for another broadcasting investigation decision, finalised after careful consideration, on an ABC television broadcast of *The Hamster Decides*. The ACMA found this broadcast breached the ABC Code of Practice 2011 requirement that content that is likely to cause harm or offence must be justified by its editorial context.

The year also saw the launch of the research **acma** brand program with the tagline ‘evidence that informs’, a neat and useful summary of our intent. This ACMA sub-brand is designed to communicate the conceptual framework and context of our research program, as well as to make accessible its output, which examines a broad cross-section of topical issues representing a suite of research products for different audiences.

A key research **acma** output was *The economic impacts of mobile broadband on the Australian economy, from 2006 to 2013*. Among many other fascinating facts, the report demonstrated that every Australian now effectively has, on average, \$652 more cash in their pocket each year additional to what they would have if mobile broadband spectrum was not being released and utilised. The release of this work was a particular highlight of another in the highly successful series of *RadComms* conferences.

The ACMA has undertaken a strategic approach in supporting the growth of mobile broadband demand to meet the associated spectrum requirements. We are actively engaged with the Department of Communications' review of Australia's spectrum policy and management framework, which we see as a once-in-a-generation opportunity to give Australia the necessary toolkit to continue our leadership in spectrum management.

Internationally, the ACMA continues to be an active contributor on spectrum management issues at forums such as the International Telecommunication Union (ITU) and Asia-Pacific Telecommunity (APT). The ACMA hosted the successful third meeting of the APT Preparatory Group meeting (better known as APG15-3) for the 2015 World Radiocommunication Conference (WRC), as part of coordinating the Australian contribution to the WRC in November 2015.

The ACMA also made a very substantial contribution to the Communications portfolio deregulation agenda, marked particularly by the first Repeal Day on 26 March—for example, revoking 46 spent instruments and removing nearly 1,000 pages of redundant regulation. In other initiatives, we revoked the Premium Services Determination, determined more cost-effective and efficient identity-checking arrangements for prepaid mobile carriage services, and lessened industry burdens for consumer safeguards regulatory reporting by removing and reducing quarterly reporting for the Customer Service Guarantee and payphones.

During the reporting period, the ACMA continued to actively assist the transition to the NBN, working with all sectors of the communications industry to enable consumers to confidently move to the new broadband environment. We have facilitated access to critical spectrum, worked with industry and consumer groups to update existing regulatory arrangements for customer equipment and quality of service, and developed a web portal with relevant information about consumer safeguards and industry obligations and processes.

Working within the current framework of traditional voice telephony, the ACMA announced a new approach to mobile phone call charges to 1800 and 13/1300 numbers. Developed in close consultation with industry, the new arrangements take account of market changes in recent years and are intended to deliver a range of consumer benefits—in particular, low- or zero-cost calls. I find it particularly satisfying to note that these clear consumer wins have been achieved without direct regulatory intervention. It was a culmination of our facilitative approach to this particular issue that we were able to congratulate industry for not only coming on board with updating the arrangements, but also for adopting a leadership role that aligns with the importance of mobile phone services to so many people.

As an agile and flexible regulator, the ACMA acts as a 'bridge' between what we have described as the 'broken concepts' of the non-converged legislation and the emerging connections (exemplified by the rise of 'over-the-top' services and social media) of the rapidly evolving networked society, which are challenging both the regulatory system and the market.

This theme of facilitation is very important to me and to the regulatory practice of the ACMA, which is illustrated in our corporate strapline—to 'communicate, facilitate (and then if all else fails) regulate'. We adopted this strapline as part of an early acceptance of the necessity to transform the ACMA and shift from the traditional regulatory stance in the face of a world of constant change. Indeed, I feel that in our current environment, here in Australia, regionally and probably globally, our commitment to facilitate endures as perhaps the most powerful element in that summary statement.

The breadth of our portfolio, the depth of our work and the quality of the results of our endeavours never cease to amaze me—our cybersafety work keeps delivering, the anti-spam and Do Not Call Register teams keep faith with enormous numbers of Australians, and our internet complaints section copes with higher and higher numbers of reports of online child exploitation material through great teamwork and innovative ICT deployment. Our corporate service functions provide an essential, if usually invisible, support and backdrop to all our activities. For example, the agency has accomplished two major office relocations this year and has scarcely skipped a beat, thanks in large part to their skills and expertise.

I proudly present this report of the ACMA's work over the financial year just concluded.

A handwritten signature in black ink, appearing to read 'Chris Chapman', with a horizontal flourish underneath.

**Chris Chapman**  
Chairman

# Highlights



## **Spectrum management— beyond the digital dividend**

In an environment of increasing demand, managing access to scarce radiofrequency spectrum continues to create challenges. This demand stems from a variety of existing users and uses, and the continual evolution of wireless and other technologies. A key part of the ACMA's task is to balance these competing needs.

With spectrum an economic enabler, the ACMA's work program seeks to facilitate the adoption of new technologies and services so that both industry and consumers benefit. The radiocommunications regulatory framework must quickly respond to the changing spectrum environment and continue to meet stakeholder needs. The ACMA continues to advance the public interest by applying effective regulation to optimise the productive, allocative and dynamic efficiency of the spectrum. This involves a blended regulatory strategy of both market mechanisms and centrally planned decisions.

Following the completion of the digital dividend auction in May 2013, this reporting period saw the ACMA focus on preparing the 700 MHz and 2.5 GHz bands for future spectrum-licensed use. This involved work on the following spectrum projects.

### **Early access to the 700 MHz band**

The ACMA worked to facilitate early access to the 700 MHz band for Telstra and Optus, the winning bidders of the digital dividend auction for that band. The main outcomes of this work were:

- > finalising the coordination and apparatus licensing procedures to enable early access
- > amending the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2) to specify tax for a 700 MHz PMTS Class B licence—this is the licence type that will be issued to any 700 MHz early access base station.

### **Clearing television broadcasting from the 700 MHz band**

Work continued to restack television broadcasting services to their final channels, in order to clear the 700 MHz digital dividend spectrum. While overall management of the implementation phase of the restack project rests with the Department of Communications, the ACMA continued to support the project by:

- > providing advice to the department, broadcasters and the project implementation manager on frequency planning-related issues
- > assessing and advising on the risk of coverage changes
- > issuing new licences for the services that are changing channels
- > liaising with self-help retransmission providers who must either restack or adjust their services as the input channels received from other sites changes.



## Wireless microphones

The ACMA continued its support of the transition of wireless microphones from the 700 MHz band. This included:

- > creating a dedicated website, [wirelessmicrophones.gov.au](http://wirelessmicrophones.gov.au), as an information and resource hub for users and suppliers
- > releasing a short video, featuring popular television presenter Shelley Craft, explaining the changes and what users need to do
- > developing an online channel finder tool and publishing regional fact sheets that explain the changes and identify channels available for wireless microphone use.

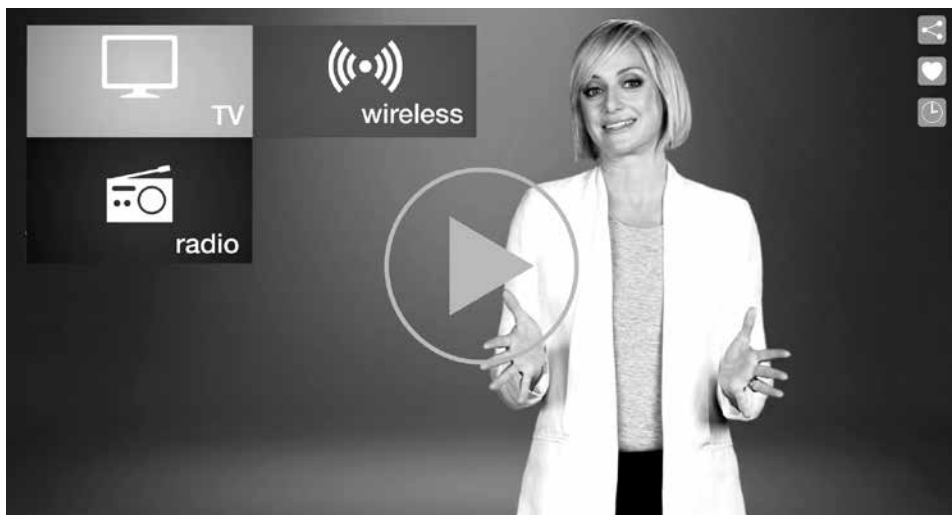
These activities formed part of the ACMA's stakeholder engagement plan to transition wireless audio transmitters out of the 694–820 MHz band from 1 January 2015, in accordance with revised legislative instruments. During 2013–14, the ACMA also approved changes that will give indoor users greater opportunities to use wireless microphones in the frequency range 520–694 MHz.

## Relocation of electronic news-gathering services

The ACMA continued work to support the relocation of electronic news-gathering (ENG) services from the 2.5 GHz band to the 1980–2110 and 2170–2300 MHz bands, culminating in the establishment of inter-service coordination requirements in May 2014.

## Conversion of the 2.5 GHz mid-band gap

In December 2013, the ACMA offered broadcasters the opportunity to convert existing ENG apparatus licences in the 2.5 GHz mid-band gap to spectrum licences. These will come into effect on 1 October 2014.



As a key consumer awareness tool in the transition of wireless microphones from the 700 MHz band, the ACMA's How to get ready for 1 January 2015 video has had over 12,000 views.

# Online content investigations and partnerships

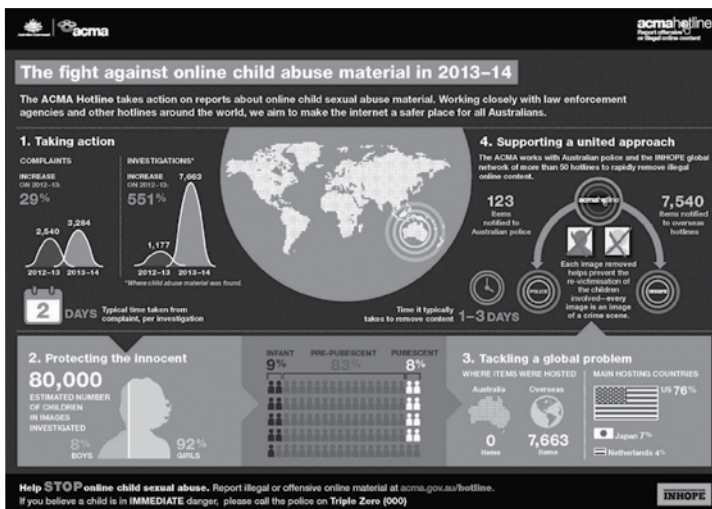
In 2013–14, the ACMA concluded a number of revised memorandums of understanding (MoUs) with Australian police forces in New South Wales, Tasmania, South Australia and Western Australia. A new MoU between the ACMA and the Northern Territory Police is the first time such an arrangement has been concluded between the two agencies.

The agreements allow the ACMA to notify sufficiently serious content to state and territory police forces where there is evidence that the content is being provided or accessed from, or has been produced in, the relevant jurisdiction.

Sufficiently serious content includes child sexual abuse material, content providing instruction in crime or violence and material advocating the doing of a terrorist act.

The MoUs promote greater efficiency in identifying and removing websites containing illegal child exploitation images and mean law enforcement agencies receive rapid reports where Australian children may be in danger or Australian offenders are involved. The agreements allow the ACMA to be at its most effective as a frontline agency dealing with reports from the Australian public about child sexual abuse material and other illegal online content.

In the reporting period, complaints about online child sexual abuse material and the number of items of this material investigated both rose significantly. The number of complaints increased by 29 per cent on 2012–13 and the number of items investigated rose to 7,663—a 551 per cent increase on 2012–13. The increase in complaints suggests greater citizen awareness of the ACMA Hotline as a reporting mechanism. The introduction of new software and processes facilitated the investigation of a much greater number of items of child sexual abuse material.



An infographic highlighted the work of the ACMA Hotline in combating online child sexual abuse material in 2013–14.

## Litigation

During the reporting year, the ACMA was involved in a number of significant court cases. These were important in themselves, but also in giving the ACMA and the industry useful guidance on a number of matters. In the area of broadcasting, this included the:

- > application of the commercial television broadcasting licence condition that prohibits the broadcast of tobacco advertisements
- > operation of the commercial radio broadcasting licence condition relating to the use of a broadcasting service in the commission of an offence.

They also confirmed that the ‘ordinary reasonable viewer (or listener)’ approach, used by the ACMA to identify the meaning of material that has been broadcast, is appropriate.

In the telecommunications area, the Court’s finding that TPG Internet Pty Ltd failed to comply with its obligation to provide access to the Triple Zero emergency call service provided an important reminder to all telecommunications providers of the importance of the obligations to give Triple Zero access.

Summaries of the main decisions are in Appendix 11.

## Contemporary community safeguards inquiry

In March 2014, the ACMA’s *Contemporary community safeguards inquiry* concluded with the publication of a consolidated report. The ACMA established the inquiry to explore the matters that should be addressed in contemporary broadcasting industry codes of practice. A key aim was to ensure that codes of practice are fit-for-purpose in a converging and rapidly transforming media environment.

The report captured contributions garnered from a very broad stakeholder group during the inquiry. Input was received via social media engagement and included the *Citizen conversations* series as well as a more formal submission process and commissioned attitudinal and economic research.

The inquiry was a unique opportunity for a range of contemporary sensibilities and priorities to be articulated. The *Citizen conversations* in particular proved an effective forum for robust debate, bringing together many voices on how to regulate convergent content. The inquiry outcomes will be invaluable in informing contemporary code reviews and, significantly, will constructively contribute to the ongoing policy debate and discussion about content regulation.

## Broadcasting investigations

During the reporting period, the ACMA completed 180 investigations into licensees' compliance with codes of practice, licence conditions and standards related to the *Broadcasting Services Act 1992* (BSA). Two investigations in particular attracted a significant amount of public attention and comment.

### 'All-Asian Mall'

The ACMA found breaches of three clauses of the Commercial Television Industry Code of Practice in the 'All-Asian Mall' story on TCN Channel Nine's *A Current Affair*. The story was about changes at a suburban Sydney shopping centre. The ACMA considered that the broadcast contained inaccurate factual material, placed gratuitous emphasis on ethnic origin, and was likely to provide intense dislike and serious contempt on the grounds of ethnic origin.

The ACMA does not have the power to direct licensees to make on-air statements acknowledging ACMA findings. However, it recommended to TCN that it make such a statement and also remove the segment from Channel Nine's website. In a move welcomed by the ACMA, TCN agreed to both actions.

### *The Hamster Decides*

The ACMA found that an ABC television broadcast of *The Hamster Decides*, which contained a manipulated image of journalist Mr Chris Kenny, breached standard 7.1 of the ABC Code of Practice 2011. Standard 7.1 requires that content that is likely to cause harm or offence must be justified by its editorial context.

The ACMA found that the 11 September 2013 broadcast breached the standard because it was intrinsically likely to have caused a high level of offence; and, despite the comedic and satirical nature of the skit and other considerations, its broadcast was nonetheless not justified by the editorial context. As a result of the decision, the ACMA has suggested that the ABC Board consider whether its code is operating effectively and as intended in the context of dealing with content causing harm and offence.

## Extending cybersafety into Indigenous communities

Building on the successes of the ACMA's cybersafety program, in April 2014 Cybersmart launched *Be Deadly Online*, Australia's first online cybersafety resources targeted at Indigenous Australians. The program comprises a series of short animations, posters and a behind-the-scenes 'making of' video, all hosted on a specially created portal within the Cybersmart website.

Tackling cyberbullying, sexting and digital reputation management, these unique and culturally appropriate resources were designed in close consultation with Indigenous communities throughout Australia. At its heart, *Be Deadly Online* had the goal of being developed by community, for community, and to be flexible enough to allow the integration of community cultural protocols.

Real-life stories and community experiences shaped and refined *Be Deadly Online*, resulting in a program that empowers communities to discuss technology, address some of the problems they're facing and, just as importantly, see how technology can be a positive contributor to the preservation of community and culture.

Feedback from community leaders has been very positive, with initial results reinforcing Cybersmart's evidence-based approach to cybersafety education. The ACMA also received international recognition for the *Be Deadly Online* program, winning a Gold Medal in the General Education category at the prestigious World Media Festival in Germany.



The *Be Deadly Online* resource suite includes a series of animations on topical online issues.

## **Telecommunications consumer compliance**

In 2013–14, the ACMA continued to focus its telecommunications compliance activities on areas that matter most to consumers, such as billing, complaints-handling, customer transfers and usage alerts.

During the reporting period, the ACMA issued seven directions to comply with the Telecommunications Consumer Protections Code 2012 (TCP Code) and 106 formal warnings. Significantly, the ACMA issued its first infringement notice for a breach of the TCP Code—to Telstra for failing to comply with a direction that required it to keep customers' personal information protected.

A usage alert review conducted during the reporting period resulted in a formal warning to Dodo for failing to send alerts to some customers about their data use during October and November 2013. The ACMA also issued a formal warning to Live Connected after completing an investigation into its direct debit practices. The investigation found Live Connected had failed to give customers at least 10 working days to check their bill before making a direct debit and also took credit management action on disputed amounts that were the subject of unresolved complaints.

The ACMA's continued focus on improving industry compliance with the TCP Code was rewarded with a continued reduction in complaints to the Telecommunications Industry Ombudsman (TIO). Data released by the TIO for the nine months to March 2014 indicates that overall there was a 9.2 per cent drop in complaints compared to the same period in the previous year. The ACMA welcomes the continued reduction in TIO complaints.

## **New identity-checking arrangements for prepaid mobile phone services**

In October 2013, new rules were introduced to streamline the identity-checking requirements for prepaid mobile services.

The Telecommunications (Service Provider—Identity Checks for Prepaid Mobile Carriage Services) Determination 2013 allows mobile providers to verify a person's identity information through a range of new methods, including confirming an existing post-paid account and using government online verification services.

Industry is moving to take advantage of the new methods, which should result in more accurate and timely information for law enforcement agencies, and improved privacy and added convenience for consumers.

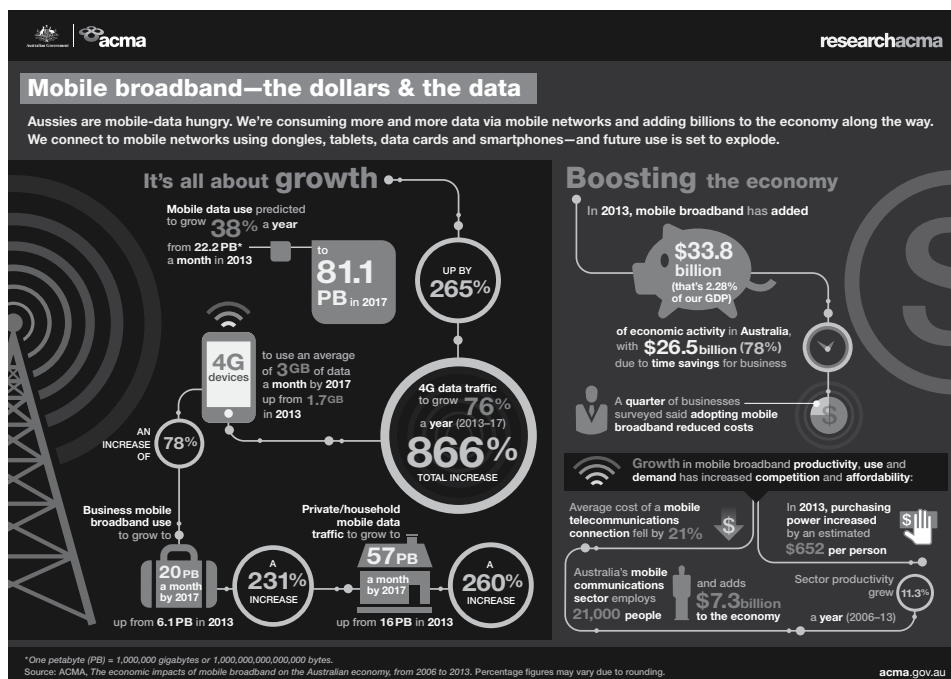
# Research into the economic benefits of mobile broadband

During the reporting period, the ACMA released a groundbreaking study on the significant effect of spectrum planning and allocation decisions on the Australian economy. *The economic impacts of mobile broadband on the Australian economy, from 2006 to 2013* found that:

- > mobile broadband led to an increase in Australia's economic activity in 2013 of \$33.8 billion
- > the mobile communications sector has achieved a substantial productivity growth of 11.3 per cent every year from 2006 to 2013, despite this sector only accounting for a small component of the Australian economy (0.2 per cent of employment and 0.5 per cent of economic activity).

The study was undertaken to understand the economic impacts of the ACMA's spectrum planning and allocations activities. The report will contribute to the development of a broader mobile broadband strategy to identify and prioritise spectrum planning and allocation activities that the ACMA will undertake for mobile data services.

This report also forms part of the ACMA's future spectrum research framework and associated research program. The spectrum research program informs the ACMA of conditions in contemporary communications and media, and reflects up-to-date information on key consumer, market and technology trends that affect industry's requirement for spectrum.



An ACMA infographic outlined the growing impact of mobile broadband on the Australian economy.

## **Better targeted regulation**

As part of its ongoing commitment to regulate better and reduce the burden on industry, the ACMA delivered a significant package of deregulatory initiatives in conjunction with the government's Repeal Day 1 on 26 March 2014. This included reducing unnecessary rules and removing nearly 1,000 pages of redundant regulation.

Other reforms proposed additional regulatory flexibility by giving the ACMA discretion whether to investigate complaints about broadcast content, interactive gambling and online content; and whether to require audited accounts from broadcasting licensees, for the purposes of determining a licensee's broadcasting licence fee.

## **New live odds codes registered**

In July 2013, the ACMA registered five new broadcasting industry codes of practice to limit gambling advertising and the promotion of betting ads during live sports broadcasts. The codes were developed by the commercial television and radio and subscription television and radio sectors to acknowledge and respect community concerns about a perceived increase in the number of gambling promotions in sports broadcasts.

The ACMA was satisfied that the codes provided appropriate community safeguards as they dealt with key community concerns such as the appearance of gambling representatives on commentary teams and on-field. Since registration of the codes, the ACMA has received significantly fewer citizen complaints about the broadcast of live odds during sports broadcasts.



## Local television content in regional areas

Following a ministerial direction, the ACMA reviewed the operation and effectiveness of the current regulatory arrangements for the provision of local content in certain regional commercial television areas. The Regional Commercial Television Local Content Investigation 2013, which was completed in December 2013, found that regional Australians value local content and are largely satisfied with the current levels of local content available to them.

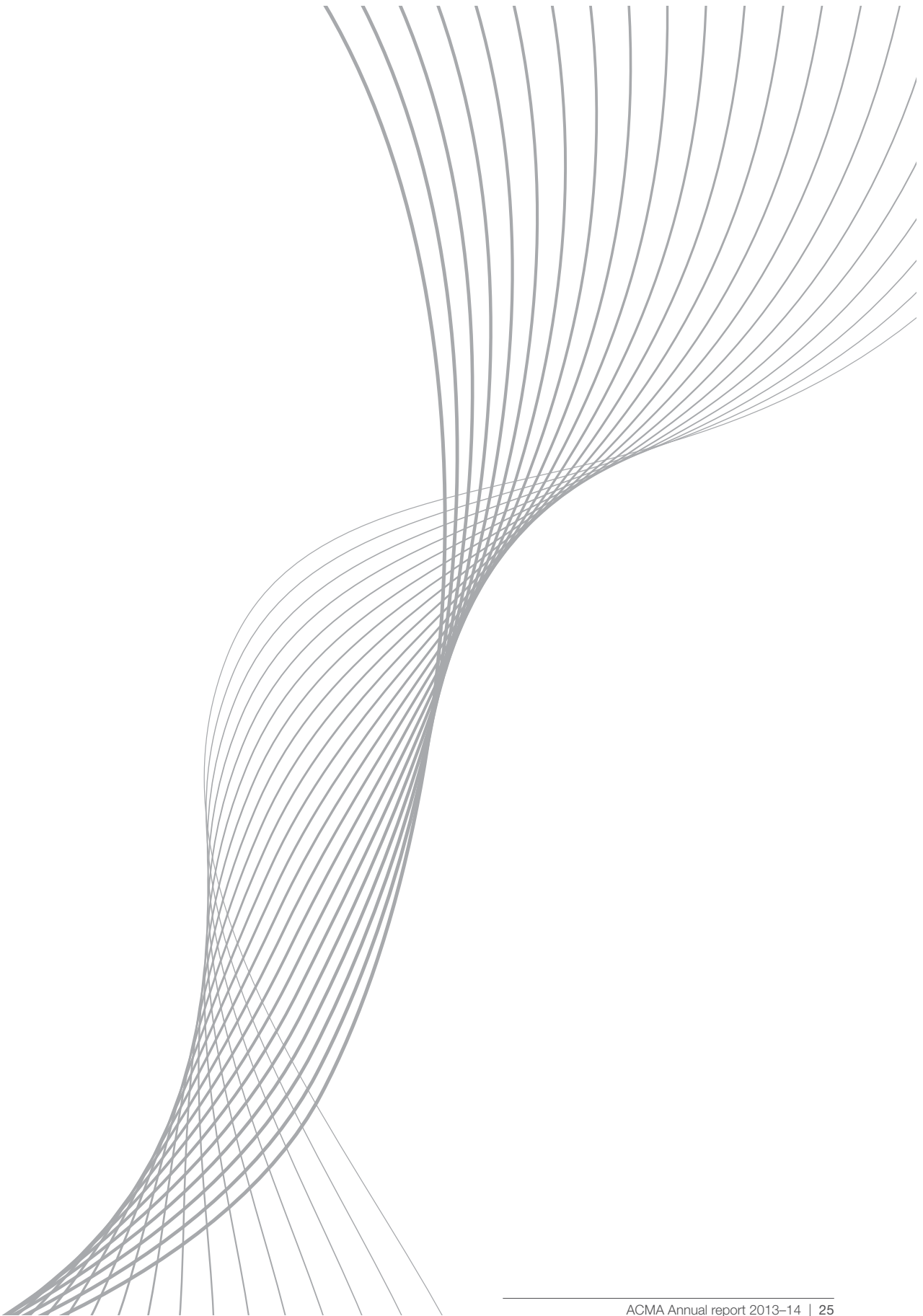
Overall, 91 per cent of regional Australians surveyed in mid-2013 said access to local content was important or very important to them. The same proportion also said they had access to all of the local content they would like.

The investigation report, which was sent to the Minister for Communications in January 2014, drew heavily on the content of research analysis; in particular, the survey of regional Australians, audience ratings data, a series of local content case studies and a peer-reviewed economic analysis. These sources provided insights into the prevailing attitude to, and value placed on, local content in regional Australia, as well as the economic circumstances of regional broadcasters. With the report being published by both the ACMA and the Department of Communications (DoC), this research serves as a benchmark of local content, its provision and its value.

## Customer Service Centre

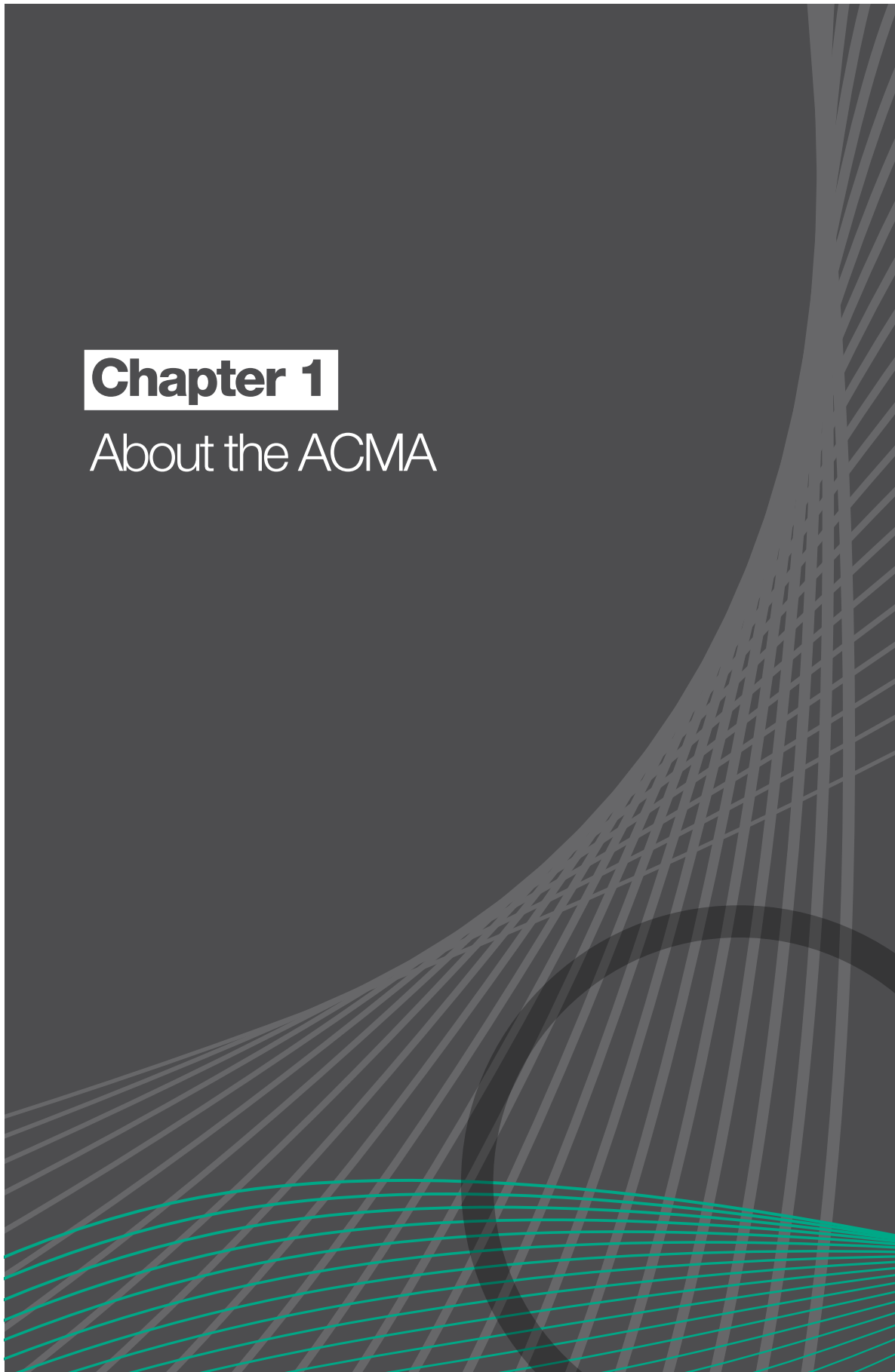
The ACMA has implemented a significant new strategy for dealing with its customers by launching a new Customer Service Centre, operating initially within the Communications Infrastructure Division. Opening in March 2014, the centre is a new way of communicating for the ACMA—offering a single phone number and email provides a seamless point of contact for customers seeking advice, information or services on a range of areas. These include applying for a licence, reporting interference to radiocommunications services and television or radio reception, buying a smartnumber or enquiring about cabling.

Creating a considerable repository of the ACMA's products and services means customers receive an even higher quality of service. In the next reporting period, the ACMA will expand the scope of the centre across the organisation, creating a single point of contact for customers seeking any product or service.



# Chapter 1

## About the ACMA



Chapter 1 details the functions, structure and corporate governance that enable the ACMA to perform its role, administer regulations and legislation, and deliver its services.

The ACMA's regulatory functions and responsibilities are set out in Part 2, Division 2 of the *Australian Communications and Media Authority Act 2005* (the ACMA Act). During the reporting period, the ACMA was a statutory authority initially within the federal government portfolio of Broadband, Communications and the Digital Economy and, following the federal election on 7 September 2013, within the Communications portfolio.

## Functions and responsibilities

The ACMA is responsible for the regulation of broadcasting, the internet, radiocommunications and telecommunications.

In accordance with the relevant legislation, the ACMA's specific responsibilities include:

- > regulating telecommunications and broadcasting services, internet content and datacasting services
- > managing access to radiofrequency spectrum bands through radiocommunications licence arrangements, and resolving competing demands for that spectrum through price-based allocation methods
- > planning the availability of segments of radiofrequency spectrum bands used by broadcasting services, and managing access to that spectrum through broadcasting licence arrangements
- > regulating compliance with the relevant legislation, licence conditions, codes of practice, standards, service guarantees and other safeguards
- > promoting and facilitating industry self-regulatory and co-regulatory solutions to emerging issues
- > where necessary, exercising powers to create legislative and other instruments, often in the form of standards or service provider rules
- > facilitating the provision of community information to promote informed decisions about communications products and services
- > reporting on matters relating to the communications industry, including its performance
- > representing Australia's communications interests internationally
- > advising the government on specific matters from time to time.

## Structure

### The Authority

At 30 June 2014, the Authority comprised the Chairman, the Deputy Chair, one full-time Member, four part-time Members and one Associate Member (see Table 1).

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### About the Authority



#### **Chairman and Chief Executive Officer—Chris Chapman**

*Appointed 27 February 2006 for five years*  
*Reappointed 14 October 2010 for five years*  
*Reappointed 28 March 2013 until 26 February 2016*

Chris Chapman commenced as the inaugural Chairman and CEO of the ACMA in February 2006. He was also appointed an Associate Member of the Australian Competition and Consumer Commission (ACCC) in September 2007.

Mr Chapman has had an extensive career including leadership roles in the media; broadcasting and film; internet, telecommunications and internet business; and the sports and infrastructure sectors. Before joining the ACMA, Mr Chapman held a number of senior management positions with Babcock & Brown, Optus, Stadium Australia Management and the Seven Network. Mr Chapman has also been the Chairman of Film Australia and SportsVision Australia, and a previous member of the National Film and Sound Archive's Advisory Council.

Mr Chapman has a Bachelor of Laws and a Bachelor of Commerce from the University of New South Wales, and has completed the Harvard Business School Advanced Management Program (AMP).



#### **Deputy Chair—Richard Bean**

*Appointed 14 October 2010 for five years*

Richard Bean has worked in a variety of senior roles in Australia's media and communications industries. Before joining the ACMA, he oversaw the legal and regulatory affairs and human resources functions at Unwired, the wireless broadband infrastructure owner and ISP.

He had previously held positions responsible for the legal and business affairs side of Network Ten's programming activities, and practised as a commercial, media and litigation lawyer at national commercial law firm Blake Dawson. Prior to that, Mr Bean worked in program administration and policy development in a number of Australian Government organisations.

Mr Bean holds an honours degree in Literature and Philosophy from the University of Sydney, and a law degree from the University of New South Wales.



**Full-time Member—Chris Cheah**

*Appointed 1 July 2005 for four years*

*Reappointed 1 July 2009 for five years*

*Reappointed 1 July 2014 for one year until 30 June 2015*

Chris Cheah was previously head of the Telecommunications Division of the then Department of Communications, Information Technology and the Arts (now DoC), advising the government on telecommunications issues. He has also managed accessibility funding programs and held positions with Austel and Telstra.

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**Part-time Member—Emeritus Professor Reg Coutts**

*Appointed 14 October 2010 for five years*

*Resigned with effect from 20 May 2014*

Reg Coutts has over 30 years experience in the Australian telecommunications industry, including 18 years at Telstra, moving through the research laboratories to become the director of strategy in the early mobile communications business.

Professor Coutts moved to academia in 1993 as the inaugural Professor of Telecommunications at the University of Adelaide, where his multidisciplinary team worked with industry both in Australia and overseas during the first wave of spectrum management reform. Currently, Mr Coutts consults to business and government, and chairs a new technology venture company.

Professor Coutts was educated as an engineer and is a graduate of the Australian Institute of Company Directors (AICD). He is actively involved in developing the ICT profession and is a Director of the Telecommunications Board of the Australian Computer Society (formerly known as the Telecommunications Society of Australia).

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**Part-time Member—Louise Benjamin**

*Appointed 14 October 2010 for five years*

Louise Benjamin has extensive experience in media and telecommunications, from both a regulatory and executive perspective. Prior to joining the ACMA, Miss Benjamin held senior strategy positions with News Ltd and Foxtel. She was a competition law partner at Allens Arthur Robinson from 1995 to 2004 and the national Chair of the Law Council of Australia's Trade Practices Committee, which plays a significant role in competition law policy. She has also served as Deputy Chair of the Australian Publishers' Bureau.

Miss Benjamin holds a Bachelor of Arts, Bachelor of Laws and Master of Laws from the University of Sydney.



**Part-time Member—Anita Jacoby**

*Appointed 5 August 2013 for five years*

Anita Jacoby is one of Australia's most experienced media professionals. In a career spanning 30 years, she's worked as a journalist and editor in print and publishing, and produced TV programs for every major network. For 10 years, Anita was an executive with Zapruder's other films, an independent TV production company creating original content including *Gruen Planet* and *Enough Rope*.

Anita is currently Managing Director of ITV Studios. She is also a director of Headspace and the Arts Law Centre of Australia.

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**Part-time Member—James Cameron**

*Appointed 5 August 2013 for five years*

James Cameron has over 20 years Australian Government public policy experience, including senior executive roles in the telecommunications, radiocommunications, broadcasting and digital economy fields. James has held executive positions managing government policies and programs supporting Australia's arts and sports sectors and, immediately prior to joining the ACMA, was Chief Executive Officer of the National Water Commission.

James has also represented government agencies in parliament, in the media, at conferences and internationally.

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**Part-time Member—Rosemary Sinclair**

*Appointed 5 August 2013 for five years*

Rosemary Sinclair is CEO of Immediate Solutions, a boutique consultancy practice focused on strategy development, technology impacts, stakeholder engagement, governance and government relations. She is a Member of the Telecommunications Universal Service Management Agency and recent past Chair of the Regional Telecommunications Inquiry Review Committee.

Immediately prior to her ACMA role, Rosemary was Director, External Relations, at the Australian School of Business, University of New South Wales.

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**Associate Member—Rod Sims**

*Appointed 1 August 2011 for five years*

Rod Sims was appointed Chairman of the Australian Competition and Consumer Commission (ACCC) in August 2011 for a five-year term.

Mr Sims has extensive business and public sector experience as Chairman of the Independent Pricing and Regulatory Tribunal of New South Wales, Chairman of InfraCo Asia, Commissioner on the National Competition Council, Director of Ingeus Limited, and member of the Research and Policy Council of the Committee for Economic Development of Australia. Mr Sims was also a Director of Port Jackson's Partners Limited where he advised the CEOs and boards of some of Australia's top 50 companies on commercial corporate strategy over many years.

## Corporate structure

The ACMA's day-to-day activities are managed by an executive team comprising the Chairman, the Deputy Chair, the full-time Member, five general managers and 13 executive managers.

The ACMA's corporate structure at 30 June 2014 is set out in Figure 1.

At 30 June 2014, the ACMA employed 517 staff under the *Public Service Act 1999*, most of whom are located in the ACMA's offices in Canberra, Melbourne and Sydney. The ACMA also has field offices in Brisbane, Hobart and Parramatta.

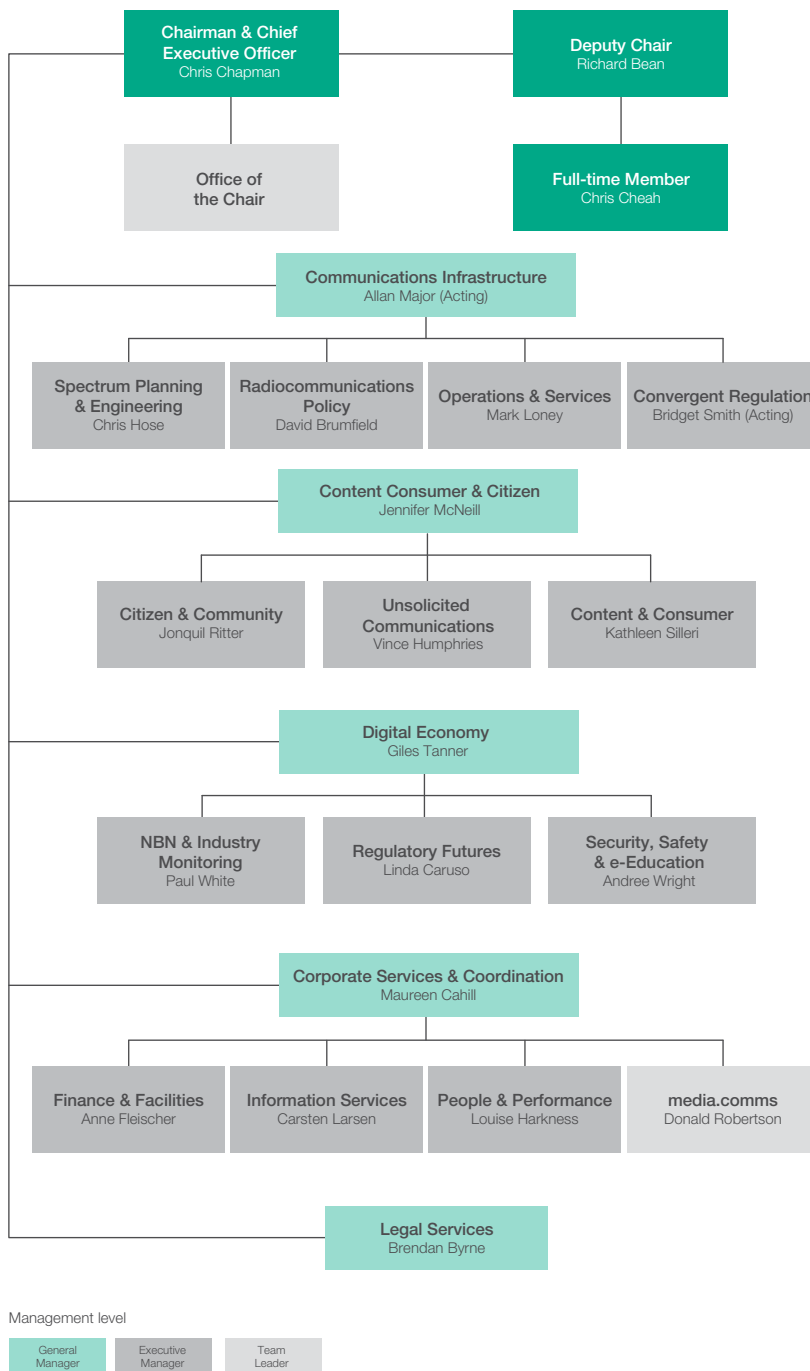
The ACMA will continue to provide service within acceptable time frames to all areas of Australia by utilising field staff from the ACMA's Melbourne, Sydney, Canberra, Brisbane and Hobart offices. Contact details for offices are provided in Appendix 1. Detailed information about the ACMA's staff is provided in Appendix 3.

**Table 1: The Authority membership, 30 June 2014**

Role	Name	Appointment date
Chairman and Chief Executive Officer	Chris Chapman	27 February 2006 for five years Reappointed 14 October 2010 for five years Reappointed 28 March 2013 until 26 February 2016
Deputy Chair	Richard Bean	14 October 2010 for five years
Full-time Member	Chris Cheah	1 July 2005 for four years Reappointed 1 July 2009 for five years Reappointed 1 July 2014 for one year to 30 June 2015
Part-time Member	Reg Coutts	14 October 2010 for five years Resigned with effect from 20 May 2014
Part-time Member	Louise Benjamin	14 October 2010 for five years
Part-time Member	Anita Jacoby	5 August 2013 for five years
Part-time Member	James Cameron	5 August 2013 for five years
Part-time Member	Rosemary Sinclair	5 August 2013 for five years
Associate Member	Rod Sims	1 August 2011 for five years



Figure 1: Corporate structure of the ACMA as at 30 June 2014



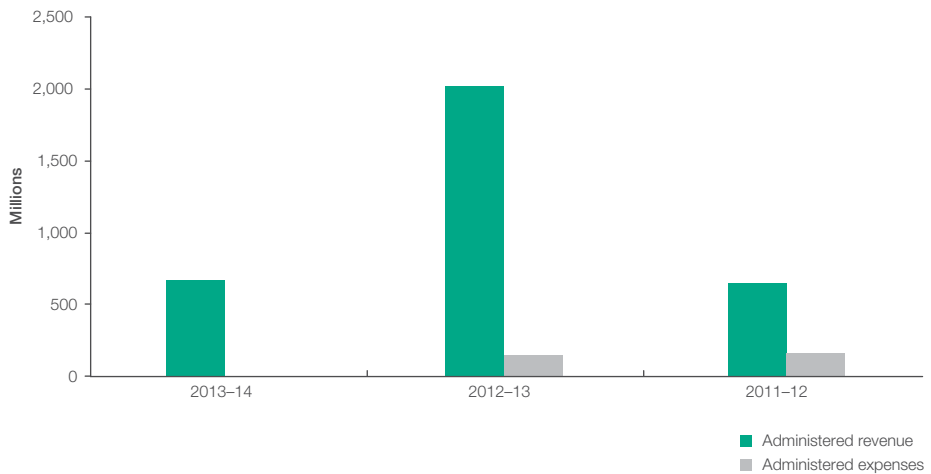
## Revenue collection

The ACMA collects revenue on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, charges and licence fees. It also administers non-regular revenue from spectrum auctions.

In 2013–14, the ACMA administered \$656.983 million of revenue (2012–13: \$2,022.046 million) and nil expenses (2012–13: \$145.512 million) due to the Telecommunications Universal Service Management Agency (TUSMA) taking over the expenses for the telecommunications industry levy (TIL) (see Figure 2).

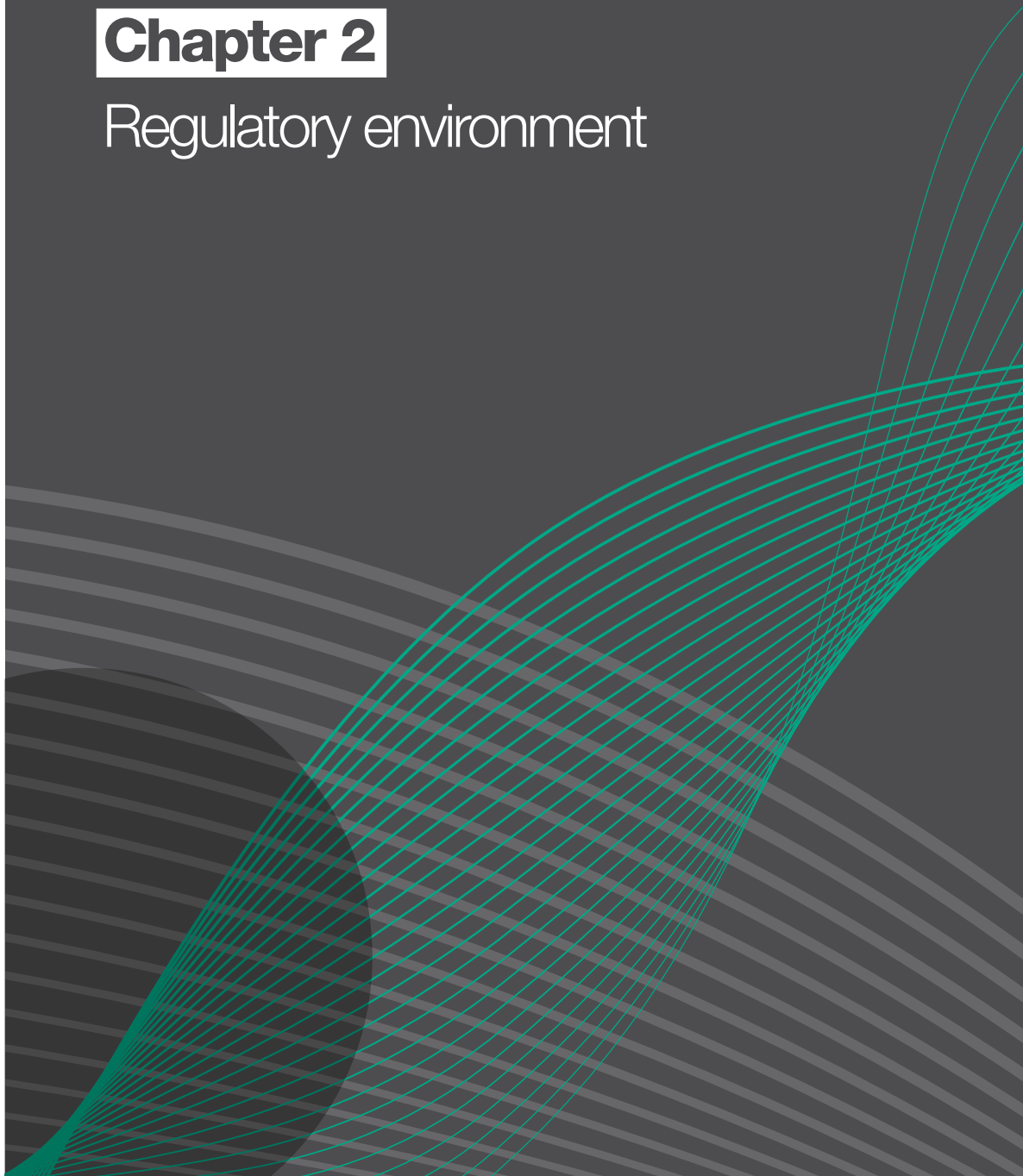
See also *Revenue and fees* on page 61 and *Financial management* on page 142.

Figure 2: Revenues and expenses administered on behalf of government



# Chapter 2

## Regulatory environment



Chapter 2 reflects the ACMA's key result areas related to:

- > Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice
- > Program 1.1: Communications regulation, planning and licensing.

The ACMA's responses to the performance information listed below for Program 1.1 can be found throughout the chapter.

#### Program 1.1: Communications regulation, planning and licensing

##### Program 1.1 Key performance indicators

- > An effective regulatory environment that supports a dynamic communications sector and enables industry to meet the communications needs of the community.
- > Efficient planning, allocation and use of national resources such as radiofrequency spectrum, communications numbering and infrastructure.
- > Industry contributes to, and complies with, the regulatory framework without being subject to undue financial or administrative burden.
- > Levels of industry compliance with the regulatory framework as assessed by breaches and recurrent breaches of legislation, codes, standards and licence conditions.
- > The cost of the ACMA's regulatory activities is minimised to the extent possible.

##### Program 1.1 Deliverables

- > Government revenue targets met in the collection of annual numbering charges.
- > Price-based allocations of spectrum completed within statutory timeframes.
- > Annual identification and publication of primary issues facing key radiocommunications services and methods the ACMA proposes to use to manage these issues.
- > Greater marketplace contestability in frequency assignments.
- > Increased proportion of spectrum licensed through class and spectrum licensing.
- > Licensing and numbering transaction applications dealt with within applicable timeframes.
- > Online content, Do Not Call Register, spam, broadcasting and telecommunications consumer codes complaints dealt with within applicable timeframes.
- > Applications for an opinion on control or temporary approval of a breach of the *Broadcasting Services Act 1992* dealt with within applicable timeframes.
- > Manage the realisation of the digital dividend as the transition from analog to digital television takes place.

## Regulatory functions

As the regulator for broadcasting, the internet, radiocommunications and telecommunications, the ACMA's responsibilities include:

- > promoting self- and co-regulation and competition in the communications industry while protecting consumers and other users
- > fostering an environment in which electronic media respect community standards and respond to audience and user needs
- > managing access to the radiofrequency spectrum
- > representing Australia's communications interests internationally.

The ACMA's regulatory functions are set out in Part 2, Division 2 of the ACMA Act.

### The ACMA's response to emerging issues and regulatory pressures

Under the ACMA Act, one of the ACMA's functions is to inform itself and advise the Minister for Communications about technological advances and service trends in the broadcasting, internet and datacasting industries.

Another of its functions is to report to and advise the minister about the telecommunications industry and matters affecting consumers of carriage services. The ACMA also monitors and reports to the minister on the operation of a number of Acts he administers, as specified in sections 8, 9 and 10 of the ACMA Act. The ACMA continues to monitor and research the rapidly changing communications and media environment to support these functions.

As the networked society and information economy continues to evolve, the ACMA straddles two dimensions:

- > administering existing legislative and regulatory arrangements—facilitating industry co- and self-regulatory solutions and using direct regulation where required
- > working with industry and consumers to develop solutions to emerging issues so that communications and media work for all Australians.

### Contemporary community safeguards inquiry

In March 2014, the ACMA published its consolidated report for the *Contemporary community safeguards inquiry* (CCS inquiry). The report brings together the information garnered by the ACMA during the inquiry and provides a high-level overview of the directions emerging from that process. The inquiry's consultation included:

- > first-principles analysis of enduring concepts, which could or should be reflected in contemporary broadcasting codes
- > submissions to the CCS inquiry issues paper, which examined the existing code requirements and the extent to which they align with the identified enduring concepts
- > seven *Citizen conversations* forums on relevant topics
- > economic research about the market for broadcasting content in Australia and the industry-identified costs of the code requirements
- > community research exploring citizens' experiences and expectations of broadcasting content
- > review of the existing information in this area, including the work of complementary reviews and inquiries.

The information gathered during the inquiry suggests a high level of consensus about the key matters that could or should be addressed in contemporary and future codes. It also signals significant scope for fewer, simpler and more effective ways to provide safeguards for broadcasting content.

The evidence captured in the consolidated report is being used to inform the broader conversation about the future of broadcasting regulation in Australia. The report will also be used in upcoming code review processes.

## Better targeted regulation

The ACMA has a legislative mandate and an ongoing commitment to regulate better and reduce unnecessary and unjustifiable regulatory imposts on industry. This has been given extra impetus in the last 12 months as part of the whole-of-government deregulation agenda. A particular highlight was the portfolio contribution to the government's Repeal Day 1 on 26 March 2014. Many of these initiatives eliminated redundant regulation and provided additional regulatory flexibility. They included:

- > An amendment proposing to remove the ACMA's statutory duty to investigate certain broadcasting-related complaints, and give it discretion to investigate complaints about broadcast content, interactive gambling and online content.
- > An amendment proposing to give the ACMA discretion whether to require audited accounts from broadcasting licensees when determining a licensee's broadcasting licence fee.

Deregulation initiatives implemented by the ACMA included:

- > revoking regulation of premium telephone services offered on 190 numbers in October 2013
- > introducing more flexible identity-checking rules for prepaid mobiles in October 2013
- > repealing 46 spent instruments—as a result, the ACMA has removed nearly 1,000 pages of redundant regulation in the media and communications sector
- > removing record-keeping requirements for femtocells by changing public telecommunications service radiocommunications licence conditions
- > streamlining our customer engagement.

## Sunsetting

During 2013–14, the ACMA has engaged in extensive and detailed preparation for the new 'sunsetting' regime that will soon take effect under the *Legislative Instruments Act 2003* (LIA). Under the sunset provisions of the LIA, the various legislative instruments made by Commonwealth agencies such as the ACMA 'sunset' (that is, are automatically repealed) 10 years after they are first registered as law. The first round of such sunset occurs on 1 April 2015, with the second round due on 1 October 2015.

The ACMA is required as a result to review, update and re-make, or repeal, as the case requires, over 100 legislative instruments during those first two rounds. That exercise will help to ensure that the legislative instruments made by the ACMA are kept up to date and are in force only for so long as they are needed.

## Ownership and control

The ACMA monitors and investigates compliance with the media diversity and control rules, and takes enforcement action where appropriate.

It also handles applications for prior approval of temporary breaches of control rules and opinions on control arrangements for a given company under divisions 1, 2, 3, 5 and 5A of Part 5 of the BSA. The ACMA also maintains the Register of Controlled Media Groups (RCMG) and the Associated Newspaper Register, along with an interactive media control database.

### Register of Controlled Media Groups

The RCMG helps industry comply with the media diversity limits by providing information to industry and the community on the existence of registrable media groups in licence areas across Australia. The RCMG also helps the ACMA to monitor compliance with the ownership and control rules. It lists the media groups in each commercial radio licence area, the media operations that form part of each group and the controllers of those operations.

### Compliance with ownership and control provisions

#### Notifications of changes in control

During the reporting period, the ACMA received notifications about 15 events that affected the control of media operations, most of which affected multiple media operations. These notifications of change of control affected:

- > 38 commercial radio broadcasting licences
- > 50 commercial television broadcasting licences
- > 10 associated newspapers.

The ACMA amended the notifications registers and the RCMG to reflect these changes, making the information publicly available.

### Annual notifications

By 30 September each year, commercial television and radio licensees, and the publishers of the newspapers listed in the Associated Newspaper Register must give the ACMA a list of all persons in a position to exercise control of the licence or newspaper as at 30 June of that year.

For the fifth year running, the licensees of all 327 commercial broadcasting licences and publishers of all 46 associated newspapers lodged their annual returns on time.

### Enforcement for failure to comply with notification provisions

Under Part 14E of the BSA, an authorised infringement notice officer can issue a formal warning (under section 205XA) and this may be followed by an infringement notice (under section 205Y) where the officer has reasonable grounds to believe that a person has contravened a notification provision (section 62, 63 or 64).

Most of the notifications lodged with the ACMA for change of control events that occurred in the reporting period were lodged within statutory time limits. During the reporting period, no infringement notices and two formal warnings were given for late notifications of changes in control.

### Applications for prior approval

The ACMA received no prior approval applications during the reporting period.

## Local content

### Regional television

Regional commercial television broadcasting licensees in Queensland, New South Wales, Victoria and Tasmania must broadcast minimum amounts of material of local significance (local content) as a result of an additional licence condition imposed on them.

Based on figures provided to the ACMA by the licensees subject to the condition under a self-reporting scheme, all licensees met the quota requirements for the 2013 calendar year.

In June 2013, following a ministerial direction, the ACMA commenced a review to investigate the operation and effectiveness of section 43A of the BSA, which sets out local content requirements for regional commercial television broadcasters. The direction also set out a number of other matters for consideration, including whether or not the section 43A obligation should be extended to apply to additional regional areas.

The investigation was completed on 24 December 2013, and the report and its associated attachments sent to the minister on 6 January 2014. See the case study on page 40 for more information about the investigation.

Following the investigation and taking into account the high level of licensee compliance, including its high visibility, the ACMA decided to amend the licence condition to remove reporting obligations and reduce the current record-keeping requirements. On 16 June 2014, the ACMA released a proposal to remake the licence condition, with comments due early in the next reporting period.



## Case study

# Investigation into local content on television

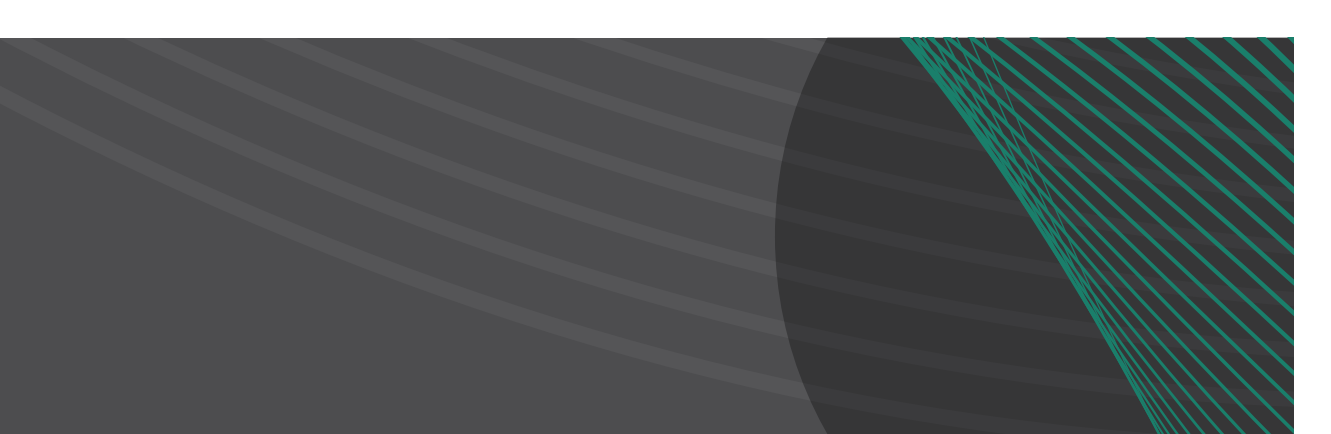
Under section 43A of the BSA, the ACMA must have in force at all times a licence condition that requires specified regional commercial television broadcasting licensees to broadcast a minimum level of material of local significance ('local content'). The current section 43A scheme has now been in place for about a decade.

The scheme was introduced when there were concerns about potential reductions in local content by regional broadcasters—mainly the loss of local news bulletins. The scheme operates by requiring all licensees in large aggregated markets to meet 'points'-based targets, with the scheme weighted towards local news bulletins.

In 2013, the then Minister for Broadband, Communications and the Digital Economy directed the ACMA to review the operation and effectiveness of the current section 43A scheme. The ACMA was further directed to consider a number of factors, including the importance of local content in regional Australia, the economic circumstances facing commercial television broadcasting licensees, how to maintain and enhance access to local content, and whether section 43A should be extended to additional regional areas.

The investigation found that section 43A is operating effectively in affected regional areas and there is no clear case for extending it to additional regional areas. It also recommended that the licence condition be amended to remove or reduce the reporting requirements.





The ACMA's investigation drew heavily on the content of research analysis; in particular, the survey of regional Australians, audience ratings data, a series of local content case studies and a peer-reviewed economic analysis. These sources provided insights into how local content in regional Australia is perceived and valued, as well as the economic circumstances of regional broadcasters.

The key findings arising from the investigation were that:

- > local content is important and valued by regional Australians—overall, 91 per cent of regional Australians surveyed in mid-2013 said access to local content was important or very important to them
- > regional Australians are largely satisfied with the current levels of local content available—the same proportion (91 per cent) also said they had access to all of the local content they would like
- > regional Australians access local content across a wide variety of sources
- > television is the source most used for regional news and is the preferred source for local news, although the audience for this is declining (a trend that applies to both local and metropolitan television news services)
- > there are commercial incentives for some regional broadcasters to provide local content
- > providing local content on commercial television is a high-cost activity and not necessarily profitable in all markets
- > funding pressures affecting regional broadcasters are likely to continue.

The ACMA also gave consideration to alternative approaches that could underpin the future delivery of local content to viewers living in regional Australia. This includes incentivising the delivery of local content—potentially through rebate, tender arrangements and tradeable obligation arrangements.

## Regional radio

### Local content—all regional commercial radio broadcasting licensees

The Broadcasting Services (Regional Commercial Radio—Material of Local Significance) Licence Condition 2012 requires 211 regional commercial radio licensees to broadcast prescribed amounts of material of local significance (known as 'local content') between 5 am and 8 pm on business days.<sup>1</sup> Licensees are exempt from this obligation for a five-week 'holiday' period each year.

Annual reporting from licensees submitted by 30 September 2013 for the 2012–13 financial year showed a very high level of compliance with the local content licence condition. All 211 licensees broadcast the prescribed amount of local content.

### Investigations—local content licence condition

During the reporting period, there were no complaints or investigations involving compliance with the local content licence condition.

### Local content and presence obligations due to a trigger event<sup>2</sup>

Under the BSA, a regional commercial radio licensee affected by a trigger event is required to:<sup>3</sup>

- > broadcast specified amounts of local news and information for 47 weeks per year (minimum service standards)
- > maintain existing levels of local presence (local staff and facilities) for 24 months from the date of the trigger event.

Once a trigger event occurs for a licence, the licensee must give the ACMA a draft local content plan within 90 days setting out how the licensee will meet its obligation to broadcast specified amounts of local news and information. Once the plan is approved by the ACMA, a licensee must take all reasonable steps to ensure that it complies with the plan.

### Compliance with local content plans

Annual reporting for the 2012–13 financial year from trigger event-affected licensees showed a high level of compliance with their local content plans. Of the 95 trigger event-affected licensees reporting to the ACMA, all but two complied with their approved plans.

### Compliance with existing levels of local presence

From 16 April 2012, regional commercial radio licensees have been required to maintain their existing levels of local presence for 24 months after a trigger event.

On 16 April 2014, the 24-month local presence compliance period ceased for 88 trigger event-affected regional commercial radio licences. Final reports on compliance with the local presence licence condition for these 88 licences fell due on 15 July 2014.

### Investigations—local news and information and local presence

During the reporting period, the ACMA investigated four regional commercial radio licences for non-compliance with the reporting requirements that arise following a trigger event. In January 2014, the licensees were found to be in breach of the requirements to provide both a draft local content plan and an existing level of local presence report to the ACMA within 90 days of a trigger event. Given the compliance action taken by the licensees on discovery of their non-compliance, and the ongoing reporting obligations for local content plans and local presence, the ACMA decided not to take any further action on the breaches.

1 Commercial radio broadcasting services licensed for racing services, in remote licence areas or under section 40 of the BSA are exempt from the local content obligation.

2 Subject to certain exceptions, a 'trigger event' is defined as: (a) a change in control of a regional commercial radio licence, (b) the formation of a new registrable media group where a regional commercial radio broadcasting licence is in the group, or (c) a change in controller of a registrable media group where a regional commercial radio broadcasting licence is in the group.

3 Commercial radio broadcasting services licensed for racing services, in remote licence areas or under section 40 of the BSA are exempt from the minimum service standards and local presence obligations that apply following a trigger event.

## Digital broadcasting

### Digital television

In 2013–14, the last remaining areas of Australia completed the switchover to digital-only television, which meant the end of analog television broadcasting in Australia. The ACMA had a number of responsibilities for the digital switchover and worked closely with the Digital Switchover Taskforce and related areas of DoC during 2013–14, providing technical and regulatory advice and information on television coverage.

The final step in the move to digital-only television is for a significant number of digital television services to be moved to new channels so that channels 52 to 69 can be cleared from the 700 MHz digital dividend band, which will be used for new mobile broadband services. This process of moving digital television transmitters to new channels is referred to as the ‘restack’, and viewers will need to ‘retune’ their television receivers. The channels to be used for digital television services are defined in television licence area plans (TLAPs) prepared by the ACMA between 2011 and 2013.

On 19 April 2013, the minister made the Australian Communications and Media Authority (Television Licence Area Plan and Monitoring) Direction 2013. This directed the ACMA to consider whether the objective of meeting the restack dates specified in the TLAPs will be met. If the ACMA is satisfied that the restack objective will not be met due to an event or circumstance outside the control of a digital television broadcaster, and where mitigation action cannot reasonably be taken, the ACMA must vary the relevant TLAP(s) to the minimum extent necessary to address the adverse effect of the event or circumstance. As at 30 June 2014, there has been no requirement to vary a TLAP in accordance with this ministerial direction.

See also *Television licence area plans* on page 56 and *Broadcasting technical standards—digital television* on page 68.

### Restack coverage assessment project

The ACMA has developed the restack coverage assessment project (ReCAP) to support the restack implementation process. The project delivers evidence-based advice to the government on managing potential restack coverage and reception issues affecting communities, and provides inputs to public education/information campaigns. In addition to its restack focus, ReCAP helps the department to support viewers experiencing reception difficulties that have occurred following, or even prior to, the switchover from analog to digital television.

ReCAP combines an area-by-area technical risk assessment of restack coverage, especially in historically complex television reception areas, with an analysis of available coverage data to help the government provide targeted advice to potentially affected communities. ReCAP can also undertake a limited number of field survey measurements to investigate reported widespread restack coverage and reception issues.

Outcomes of the technical assessments conducted through ReCAP have found a low likelihood of viewer impacts associated with restack channel planning. In 2013–14, three major investigations of reception difficulties were undertaken:

- > Nowra and Shoalhaven Heads in southern New South Wales
- > Adelaide and Victor Harbour in South Australia
- > Nathalia in Victoria.

These investigations revealed a range of issues. While some were instigated as part of the restack activity, more often the issue affecting viewers was that their receiving antenna system had deficiencies that could be improved by an antenna installer.

The ACMA continues to monitor the progress of the restack implementation and related viewer complaints, and will provide support to the department, viewers and local broadcasters where necessary.

There remains a risk for viewers with inappropriate/legacy receive antenna configurations or antenna systems in poor condition, and those whose reception has been fortuitous or marginal. These viewers will be more likely to experience signal loss and may be required to undertake improvements to their TV receive equipment or, in a limited number of cases, explore alternative measures to receive television, including via the government's Viewer Access Satellite Television system (VAST). The VAST service is intended to provide an alternative reception option for individual households unable to receive adequate digital television services from existing terrestrial transmission sites.

The eligibility for access to commercial services on VAST is provided for in conditional access schemes developed by industry and registered by the ACMA. As well as registering the conditional access schemes, the ACMA investigates complaints from viewers who were refused access to VAST services. For information about complaints under the VAST scheme, see page 96.

On the relevant date, viewers simply need to retune their television or set-top box. However, in some instances—especially with viewers who have inappropriate/legacy receive antenna configurations or antenna systems in poor condition—they will need to take additional measures. The ReCAP is helping the department prepare targeted messages to help these viewers.

### Report on digital television transmission and reception

The ACMA contributes to reports tabled by the minister as required under clause 5H of Schedule 4 of the BSA, which states:

On the first sitting day of each House of the Parliament after each 1 January, 1 April, 1 July and 1 October from 1 April 2009 until 1 September 2014, the minister must cause a report to be laid before each House of the Parliament containing the following information:

- a. action taken to identify and rectify transmission infrastructure that would otherwise prevent the transmission of free to air television broadcasting services in SDTV digital mode in any area achieving the same level of coverage and potential reception quality as was achieved by the transmission of those services in analogue mode; and
- b. the local market areas and regions where transmission issues have been identified and how many households will be affected.

The ACMA contributed to four reports in 2013–14, which have been tabled in parliament. Reports on digital television transmission and reception required under clause 5H can be found on the DoC website.

### Digital radio

Digital radio services, using DAB+ technology in VHF Band III spectrum, have been running on a permanent basis in the metropolitan areas of Adelaide, Brisbane, Melbourne, Perth and Sydney since July 2009. In October 2013, the ACMA varied the foundation digital radio multiplex transmitter licences to authorise the operation of in-fill repeaters in 12 locations in Sydney, Melbourne, Brisbane and Perth, extending the coverage of the commercial and community digital radio services to a potential 264,000 listeners.

Trials of DAB+ are being conducted in Canberra and Darwin by the peak commercial radio body, Commercial Radio Australia (CRA).

Permanent digital radio services cannot begin in regional licence areas (including Hobart) until the ACMA declares the digital radio start-up days for those areas. The ACMA may only declare a day that the minister specifies in a legislative instrument.

Prior to the ACMA declaring the start-up day, it must plan and allot digital radio channels and issue digital radio multiplex transmitter licences in accordance with the legislation. Various technological and policy issues need to be resolved before planning and licensing for the rollout of digital radio to regional licence areas can commence, including the most appropriate digital radio transmission technology for these areas.

The ACMA provides other technical advice to the department as required, including input into recent digital radio statutory reviews conducted in accordance with section 215B of the BSA and section 313B of the *Radiocommunications Act 1992*.

## Spectrum management

The ACMA manages the radiofrequency spectrum in Australia through planning, allocation and licensing decisions, device regulation and compliance activities. It ensures compliance with licensing requirements and investigates complaints of interference to licensed services. The scope of the ACMA's role includes spectrum planning, apparatus licensing, class licensing, spectrum licensing, auctions and trading, and satellite communications and space systems regulation.

As in many other countries, Australia must increasingly address the balance between growing demand for access to spectrum by new technologies and uses, and the legitimate requirements of existing users for ongoing use of spectrum. It must also address the balance between government use of the spectrum and its availability for use by the broader community. The ACMA continues to work to balance the competing demands of new uses, the defence and essential services sectors and the broader community requirements for access to spectrum, as well as new technologies and spectrum management methods.

In 2013–14, the ACMA's major spectrum initiatives included:

- > undertaking processes for expiring spectrum licences, including considering reissue of licences to current licensees and reviewing relevant technical frameworks for the 1800 MHz and 2.3 GHz bands
- > finalising work on the conversion of the 2.5 GHz mid-band gap for spectrum licensing
- > finalising work on developing arrangements to support the relocation of electronic news-gathering (ENG) services (used for wireless video coverage of news, sporting and cultural events) from the 2.5 GHz band
- > facilitating early access to the 700 MHz band following the digital dividend auction
- > continuing to support the transition of wireless microphones from the digital dividend.

## Expiring spectrum licences

Fifteen-year spectrum licences were first issued in the late 1990s and early 2000s, and are now approaching expiry. Some of these spectrum-licensed bands are used to deliver high-value telephony and broadband services.

In 2012, the minister made a 'class of services' determination for some of these spectrum-licensed bands that it would be in the public interest to reissue licences to incumbent licensees, if they have used the licence to provide the following services:

- > mobile voice and data communications services in the 800 MHz, 1800 MHz and 2 GHz bands
- > wireless broadband services in the 2.3 GHz and 3.4 GHz bands
- > satellite services in the 27 GHz band.

At the same time, the minister also directed the ACMA on the value of spectrum in each of the bands mentioned above. The direction requires the ACMA to reflect this valuation in the spectrum access charges it fixes under section 294 of the Radiocommunications Act.

Where licences are not reissued, the ACMA will prepare reallocation processes. The ACMA's policy is to give both incumbent and prospective licensees certainty, where possible, on the outcome of expiring spectrum licences in each band approximately 18 months before licence expiry.

The ACMA has completed the reissue process for spectrum licences to incumbent licensees in the 800 MHz and 1800 MHz bands, and in part of the 2.3 GHz band. This has resulted in approximately \$191 million in revenue from the expiring spectrum licence process over the last financial year.

Table 2 provides a summary of the spectrum-licensed frequency bands and bandwidths, the year in which the licences expire and the type of service for which the applicable technical framework is optimised.

## Conversion of the 2.5 GHz mid-band gap

On 24 February 2012, the minister made the Radiocommunications (Spectrum Designation) Notice No. 1 of 2012 for the 2.5 GHz mid-band gap (2570–2620 MHz). This allowed the ACMA to begin processes to convert existing ENG apparatus licences—held by the free-to-air commercial broadcasters and the Australian Broadcasting Corporation—to spectrum licences. During the reporting period, the ACMA fixed spectrum access charges for spectrum licences in the mid-band gap in the Radiocommunications (Spectrum Access Charges—2.5 GHz Mid-band Gap) Determination 2013. It also made the formal offer of spectrum licences in the mid-band gap to the broadcasters, in accordance with section 56 of the Act. All four broadcasters subsequently accepted the offer of converted licences. The relevant spectrum access charge for the converted licence must be paid on or before 1 August 2014, with licences commencing on 1 October 2014.

This conversion process is an important part of providing long-term certainty for ENG operators.

## Relocation of ENG services

In 2013–14, the ACMA continued to plan for the relocation of ENG services from the 2.5 GHz band to the 1980–2110 MHz and 2170–2300 MHz bands. Work focused on finalising coordination with other services in these bands, which was completed in May 2014. The ACMA is now helping industry to complete the transition to the new arrangements.

## Early access to the 700 MHz band

In May 2013, the ACMA concluded the digital dividend auction, which reallocated spectrum in both the 700 MHz and 2.5 GHz spectrum bands. The 700 MHz licences to be issued as a result of the auction are to commence on 1 January 2015. In the lead-up to the auction and in the ensuing period, both Optus and Telstra, as the two winning bidders for 700 MHz digital dividend spectrum, expressed a continuing interest in deploying commercial LTE services in this band earlier than the spectrum licences associated with the auction authorise.

Table 2: Expiry of spectrum licences

Band	Frequencies	Expiry	Main use
800 MHz	825–845 MHz 870–890 MHz (paired)	Reissued	Public mobile telephony (3G)
1800 MHz	1710–1755 MHz 1805–1850 MHz (paired)	Reissued	Public mobile telephony (LTE, GSM, GSM-R) <sup>4</sup>
28 and 31 GHz	27.5–28.35 GHz (unpaired) 31.0–31.3 GHz (unpaired)	Apparatus-licensed	Wireless access services
1800 MHz	1755–1785 MHz 1850–1880 MHz (paired)	Partially reissued*	Public mobile telephony (LTE, GSM, GSM-R)
2.3 GHz	2302–2400 MHz	Partially reissued**	Wireless access services
3.4 GHz	3425–3442.5 MHz 3475–3492.5 MHz (paired) 3442.5–3475 MHz 3542.5–3575 MHz (paired)	December 2015	Wireless access services
27 GHz	26.5–27.5 GHz	January 2016	Wireless access services, satellite gateway
2 GHz	1900–1980 MHz 2110–2170 MHz	October 2017	Public mobile telephony (3G)
20 and 30 GHz	20.2–21.2 GHz 30–31 GHz	April 2021	Satellite operations

\*One licensee chose not to accept the offer of reissue.

\*\*Some licensees chose not to accept the offer of reissue, while some are still to complete the reissue process.

4 GSM-R is a system based on the GSM standard that provides communication and control for railway traffic and signals.

In June 2014, the ACMA made the required legislative and licensing arrangements to enable Optus and Telstra to apply for apparatus licences to begin commercial LTE services before 1 January 2015. Up to and including 31 December 2014, users of wireless audio devices (WAD), as well as some national and commercial television broadcasters, will remain authorised to use the 700 MHz spectrum. The ACMA will apply special licence conditions and application requirements for 'early access' apparatus licences to protect incumbent WAD and broadcast licensees from potential interference from LTE base stations.

The ACMA also developed frequency coordination and apparatus licensing procedures for the paired bands 703–733 MHz and 758–788 MHz. The technical parameters mirror those of the 700 MHz band spectrum licence technical framework, and the coordination procedures include defined exclusion zones to protect existing digital television broadcasting and retransmission services in the 694–820 MHz range.

Following consultation with stakeholders, the ACMA amended the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2) to include an apparatus licence tax for the PMTS Class B licence sub-type operated in the frequency ranges 703–733 MHz and 758–788 MHz (that part of the 700 MHz band sold at the digital dividend auction). The ACMA set the apparatus licence tax for a 700 MHz PMTS Class B licence at \$0.07/MHz (paired)/Pop.

### **Wireless microphones and the digital dividend**

The ACMA is responsible for planning the future use of the 'digital dividend' (694–820 MHz) once the incumbent free-to-air television services have consolidated (or 'restacked') into the lower 520–694 MHz band. The restack is scheduled to be completed by 31 December 2014. Wireless audio transmitters (wireless microphones) may currently be operated in the 'unused' channels within the television broadcasting spectrum and many of these devices will be affected by the digital dividend and restack of television services.

As many community groups and businesses use wireless audio transmitters on a day-to-day basis, the ACMA is implementing a range of awareness and outreach activities and resources to help users prepare for this change. During the reporting period, the ACMA produced:

- > a dedicated website—[wirelessmicrophones.gov.au](http://wirelessmicrophones.gov.au)—that provides information and resources for users and suppliers
- > a stakeholder engagement plan that sets out the ACMA's awareness and outreach activities
- > a short video featuring popular television presenter Shelley Craft explaining the changes and what users need to do
- > an online channel finder for wireless microphones
- > a suite of regional fact sheets and FAQs that explain the changes
- > a free monthly e-bulletin that provides updates on the ACMA's wireless microphones work.

On 17 September 2013, the revised Radiocommunications Devices (Compliance Labelling) Notice 2003 took effect. This requires importers and manufacturers (and their authorised agents) of wireless audio transmitters that can currently operate in the 694–820 MHz range to include with the devices a warning label notifying potential buyers that they must not use it in this range after 31 December 2014.

In October 2013, the ACMA revised the Radiocommunications (Short Ranges Device) Standard 2004, which made it illegal—from 1 January 2014—for suppliers to import or manufacture wireless audio transmitters that operate in the 694–820 MHz range for supply in Australia.

In June 2014, the ACMA revised the Low Interference Potential Devices Class Licence to enable greater indoor use of the spectrum by wireless microphone devices.



## Five-year spectrum outlook

The *Five-year spectrum outlook 2013–17* was released in September 2013. The outlook outlines the ACMA's assessment of the demand for different parts of the radiofrequency spectrum and sets the key priority areas facing spectrum management in Australia. It provides an avenue for consultation with all spectrum users about emerging pressures for changing approaches to spectrum management and the ACMA's work plan. It is a living document and is open to comment at all times.

The outlook fulfils the ACMA's commitment to:

- > provide greater insight and transparency for industry stakeholders
- > facilitate discussion between the ACMA and stakeholders
- > provide a useful summary of important spectrum management policies and priorities.

In keeping with Program 1.1: Communications regulation, planning and licensing, the ACMA expects to release the 2014–18 edition of the outlook in August 2014. It will take into account information from submissions received in response to the 2013–17 edition.

## Mobile phone jammer trial at Lithgow Correctional Centre

On 24 September 2013, Corrective Services NSW (CSNSW) launched a field trial of mobile phone jammers at Lithgow Correctional Centre in New South Wales to assess the feasibility of blocking the reception of mobile phones as a law enforcement strategy.

To enable the field trial, the ACMA made the Radiocommunications (Field Trial by Corrective Services NSW of PMTS Jamming Devices at Lithgow Correctional Centre) Exemption Determination 2012. In response to a request from CSNSW, on 13 June 2014 the ACMA approved an extension of the trial until 30 September 2014.

CSNSW will report to the ACMA on the outcomes of the field trial in early 2015.

## Low-power open narrowcasting (LPON) services review

LPON services are used for niche radio broadcasting services to a limited reception area. They operate on very low power and their range is much more limited than other radio broadcasting services.

In 2000, the then-minister directed the Australian Communications Authority (ACA) to issue transmitter licences for LPON services in the 87.5–88.0 MHz sub-band by a price-based allocation process and to impose 'use-it-or-lose-it', reasonable operating regularity and reporting conditions on LPON licensees.

As a result of a review of LPON services in 2013, the ACMA:

- > Wrote to the minister recommending that he revoke two directions—one requires the ACMA to impose 'use-it-or-lose-it', reasonable operating regularity and reporting conditions on LPON licensees; the other requires the ACMA to allocate LPON licences by a price-based method.
- > Removed the exclusion zones previously maintained around analog Channel 3 TV transmitters. This freed-up previously unavailable spectrum for new LPONs, which is being released in a staged process.
- > Wrote to LPON licensees in non-standard frequencies to offer them alternative frequencies and inform them that they would be unable to continue transmitting on non-standard frequencies after March 2016.
- > Re-made the determination made under section 34 of the BSA, which makes spectrum between 87.5 and 88.0 MHz available for LPON services until 31 December 2020.

These measures will contribute to the efficient planning of the radiofrequency spectrum, reduce the administrative burden of regulation on the LPON industry and minimise the cost of the ACMA's regulatory activities.

See more about LPON compliance and enforcement on page 75.

### **Deployment of body scanner devices at Australia's international airports**

On 5 September 2013, in accordance with paragraph 105(2)(b) of the Radiocommunications Act, the ACMA issued apparatus licences to eight Australian international airports (Adelaide, Brisbane, Cairns, Darwin, Gold Coast, Melbourne, Perth and Sydney) to authorise the operation of millimetre-wave body scanners in the frequency range 26.5–28.35 GHz until 17 January 2016. This is for the purpose of aviation security screening and contributes to meeting the Program 1.1 key performance indicators.

### **Trial of advanced power limit for advanced amateurs**

In March 2012, the ACMA approved a trial for amateur advanced licensees to apply, on an individual basis, for an increase in transmitter output power. Licensees could apply to use up to 1,000 watts peak envelope power in bands where the amateur service is primary. Operation of the amateur station had to be at a fixed location.

In January 2013, the ACMA began an assessment of the trial to evaluate whether more permanent regulatory arrangements should be put in place. The trial finished on 31 August 2013 and the ACMA decided not to make the arrangements permanent.

### **1800 MHz band**

There is increasing demand for access to spectrum in the 1710–1785 MHz and 1805–1880 MHz frequency ranges (the 1800 MHz band) from various industry sectors to deploy mobile services. The current regulatory arrangements would not support the deployment of mobile services on a large scale, as required by industry. As a result, the ACMA is developing a spectrum management strategy for the band to address demand and provide suitable regulatory arrangements for both the short and longer term.

### **European Space Agency Earth station coordination arrangements**

The ACMA supports spectrum management aspects of treaty-level arrangements with the European Space Agency (ESA) for a Co-operative Space Vehicle Tracking Program. This includes managing the radiofrequency spectrum to support ESA requirements for space exploration missions. Supporting coordination requirements with spectrum licences in the 2.3 GHz band and with 2 GHz ENG services has been completed, with the focus now on other bands.

### **Satellite coordination**

The ACMA is responsible for fulfilling Australia's obligations as a member of the International Telecommunication Union (ITU) for matters associated with the ITU-R. It supports the filing of Australian satellite networks with the ITU and actively works with prospective satellite operators in meeting these obligations. The ACMA also provides the interface with other ITU administrations in coordinating Australia's satellite spectrum requirements.

In the reporting period, the ACMA assessed 745 publications for proposed foreign satellite networks, initiating coordination processes (where necessary) with foreign administrations on their proposed satellite networks with Australian spectrum requirements and responding to their reciprocal requests of Australia. In addition, the ACMA also assisted Australian satellite operators with ongoing satellite coordination negotiations with other administrations. These roles help to protect Australian interests and maximise the benefits of spectrum/orbital resources through working cooperatively with other ITU Member Administrations.

The ACMA also provides ongoing advice to Australian Government agencies and the Australian space community on space radiocommunications.

## Mobile broadband activities

Maintaining appropriate spectrum arrangements for mobile broadband services remains a major element of the ACMA's spectrum management work program.

In 2013–14, the ACMA commissioned two pieces of research to help inform its ongoing considerations in the area of mobile broadband—the economic impacts of mobile broadband services on the Australian economy and a mobile network capacity forecasting model (see also *Spectrum research program* on page 126).

Central to the ACMA's mobile broadband work program has been active involvement in international spectrum fora to influence outcomes in line with Australia's national interest. In particular, the ACMA has led Australian participation in 2015 World Radiocommunication Conference (WRC-15) Agenda Item 1.1 considerations, which are examining the potential for additional spectrum to be identified internationally for mobile broadband services (see also *International matters* on page 105).

The ACMA is updating its mobile broadband strategy, which will build on pre-existing work (such as the plan outlined in its 2011 paper *Towards 2020—Future spectrum requirements for mobile broadband*) to identify and prioritise spectrum planning and allocation activities. The ACMA expects to consult on an updated mobile broadband strategy early in the next reporting period.

## Allocation and licensing

### Radiocommunications licensing

The Radiocommunications Act provides that the ACMA can issue radiocommunications licences authorising the operation of devices under an apparatus, spectrum or class licence.

### Apparatus licensing

Apparatus licences can be issued for any period ranging from one day to a maximum of five years. The majority of licences are for one year with annual renewals thereafter.

The ACMA issues apparatus licences that require frequency assignment coordination (assigned licences), as well as apparatus licences where no frequency assignment coordination is required (non-assigned licences).

The ACMA's key performance indicator (KPI) for issuing licence applications requiring frequency assignment is to have completed 60 per cent of applications within 30 days of receipt. For licence applications not requiring frequency assignment, the ACMA's KPI is to complete 100 per cent of applications within 14 days of receipt.

The ACMA is undertaking a major project—Project HELM—to replace its ageing spectrum management information systems. Development and testing of new frequency assigning tools for apparatus licences was an important deliverable for Project HELM in 2013–14.

The need for expert assigning staff to support Project HELM during 2013–14 reduced the ACMA's ability to meet its KPI targets, with:

- > 48.9 per cent of assigned licence applications completed within 30 days
- > 92.8 per cent of non-assigned applications completed within 14 days.

The ACMA worked with stakeholders, including accredited persons, to minimise the impact of delays in processing apparatus licence applications.

### New licences

In 2013–14, 13,298 new apparatus licences were issued, bringing the number of current licences at 30 June 2014 to 158,391 (see Table 47 in Appendix 4). During the reporting period, 130,985 licences were renewed. The number of new licences issued for each of the last three years increased to 13,298 in 2013–14, after decreasing from 13,882 in 2011–12 to 12,430 in 2012–13. Over the same period, the annual number of apparatus licences issued has averaged 13,203.

A total of \$170,998 million in licence tax and charges revenue was received in 2013–14 (see Table 3).

### Price-based apparatus licence allocations—LPON licences

Every three months, the ACMA offers to allocate LPON licences and holds auctions where there are competing applications. LPON licences allow for the provision of niche radio services, such as tourist radio and racing information, or ethnic and religious programming. They operate at very low power outputs and serve relatively small areas. During 2013–14, the ACMA allocated an additional 45 LPON licences, raising revenue of \$20,750.

### 400 MHz band implementation

The ACMA continued to work with industry and government to implement new arrangements for the 400 MHz band during 2013–14. A high percentage of licensees needing to meet the first milestone requirements (mainly involving bandwidth reduction) made the necessary changes to their networks in 2013. The implementation process has provided lengthy lead times for each milestone to allow licensees in industry and government to identify their requirements, budget and plan on how best to meet them, and implement network upgrades or replacements.

Implementation of the second milestone will commence in Adelaide, Brisbane, Melbourne, Perth and Sydney in January 2015. Once completed, harmonised spectrum will be available for use by government agencies, giving them the opportunity to enhance interoperability within and between state, territory and federal emergency services. The ACMA is now working with industry and government to facilitate and support preparation for the changes that will occur in 2015.

Table 3: Radiocommunications apparatus licences issued, 30 June 2014

Type of licence	Revenue 2013–14 (\$m)
<b>Assigned licences</b>	
Public telecommunications service	80.952
Fixed	55.958
Land mobile	43.980
Satellite*	4.339
Defence	11.300
Other	3.125
<b>Total assigned licences</b>	<b>199.654</b>
<b>Non-assigned licences</b>	<b>1.348</b>
<b>Total</b>	<b>201.002</b>

\*Includes Earth, space, Earth receive and space receive licences.

In 2013–14, the ACMA continued to facilitate transition in the 400 MHz band through a suite of planning, policy and pricing initiatives, including:

- > Undertaking stakeholder engagement activities to raise awareness of upcoming changes, including meetings and discussions with individual licensees to help them understand their transition requirements and options.
- > Refining an online tool for licensees to determine their particular transition requirements.
- > Applying annual taxation increases in the high-density areas of the band to progressively move the apparatus licence tax to opportunity cost.
- > Offering financial incentives in the form of discounts for early transition.
- > Offering exceptions to licensees having difficulty meeting transition time frames.
- > Monitoring transmissions in the 400 MHz band in Sydney and Melbourne to check that only licensed transmitters were operating.

In August 2012, the ACMA implemented the first increment in the licence tax rate for high-density areas of the 400 MHz band, based on opportunity-cost principles. Further increases have been signalled but will only be implemented if congestion is not removed. While monitoring suggests that congestion has not yet been removed, some intended effects are occurring—for example, reduced licence numbers and rotation from low- to high-value uses. As there is no congestion in remote areas of Australia and little risk of congestion emerging in the foreseeable future, opportunity cost is low. This means it may be appropriate to reduce the licence tax rate.

In June 2014, the ACMA released a discussion paper about the proposed amendments to the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2) and the Radiocommunications (Receiver Licence Tax) Determination 2003 (No. 2). The paper proposed changes to the taxes that apply to licences for services in the high-density and remote-density areas of the 400 MHz band. The ACMA will consider the outcomes of the consultation in the first half of 2014–15.

The ACMA acknowledges that transitioning to the new arrangements remains challenging for many users, and continues to work closely with licensees and accredited persons to support transition arrangements. The final outcomes of the review will harmonise government spectrum, as well as increase technology flexibility and efficiency of allocation and use. Once transition is achieved, the need for further regulatory intervention in the band is expected to be low.

## Spectrum licensing

### Rail and safety control communications

In July 2013, the then Minister for Broadband, Communications and the Digital Economy, the Hon. Anthony Albanese, MP, made a direction under subsection 294(2) of the Radiocommunications Act to achieve a national communications solution for rail services. This applied to reissued spectrum licences in the 1775–1785 MHz and 1870–1880 MHz frequency ranges. Along with a public interest price, a condition on purpose of use was applied that limits the use of the licence for a particular service, licensee or purpose. In accordance with the direction, the ACMA has applied a purpose-of-use licence condition for the provision of rail safety and control communications to the relevant licences. This is part of the government's policy intent to support a spectrum allocation for national rail safety and control communications.

### Review of technical frameworks

The ACMA is working with licensees and other interested parties in technical liaison groups to review the technical framework for each spectrum-licensed band, in order to provide increased flexibility and greater spectrum utility for the next spectrum licence term. The technical liaison group process is conducted for each band as the date of the spectrum licence expiry approaches. In 2013–14, the ACMA completed the review of technical frameworks for the 2.3 GHz band.

In January 2014, the ACMA consulted on a series of amendments to the Radiocommunications (Spectrum Licence Tax) Determination 1999 (1999 Determination) to remove expired spectrum licences in the 28–31 GHz band and set new base amounts for the 700 MHz, 2.5 GHz (including the 'mid-band gap') and 2.3 GHz bands.

The ACMA also proposed to make a new legislative instrument incorporating the above changes to replace the 1999 Determination prior to its sunset date in April 2015 to preserve its ongoing effect, as required under the sunset provisions of the LIA. The consultation period closed on 28 February 2014. The ACMA made the Radiocommunications (Spectrum Licence Tax) Determination 2014 on 30 June 2014.

### **Spectrum licence trades**

Spectrum licences can be traded in part or whole to others by geographic area and bandwidth, and can be divided or amalgamated. During 2013–14, the ACMA traded three entire spectrum licences in the 2.3 GHz band and one entire spectrum licence in the 1800 MHz band.

### **Class licensing**

#### **Low interference potential devices**

Low interference potential devices include a wide range of low-power radio transmitters used by the public every day, such as garage door openers, wireless local area networking equipment (such as Wi-Fi and Bluetooth devices) and wireless identification tags. Operation of these common devices without individual coordination is accomplished through class licensing. The ACMA's class licensing arrangements provide a no-cost-to-the-user authorisation to operate such equipment, without the need to issue individual licences.

Rapidly developing radio technology leads to significant numbers of enquiries from equipment importers who seek to include new equipment items in the low interference potential devices class licences. However, before the operation of a device can be covered by a class licence, planning studies must be conducted. These should determine a set of common characteristics that make sure the operation of these devices represents a low interference risk to existing Australian radiocommunications services.

The Radiocommunications (Low Interference Potential Devices) Class Licence 2000 (the LIPD Class Licence) is regularly varied to maintain currency and keep pace with technological developments. The ACMA publicly consulted on changes to the LIPD Class Licence on 14 March 2014, including updated arrangements for wireless microphones and other transmitters operating in the broadcasting services band, and the use of short-range low-power devices using ultra-wide band (UWB) technology. Submissions closed on 27 April 2014 and the ACMA varied the LIPD Class Licence in June. Arrangements implemented in this variation to the LIPD Class Licence for UWB were modified from those originally proposed, following consideration of issues raised in submissions.

The ACMA will be consulting further on key aspects of UWB regulation so that stakeholder views are fully considered and there is greater harmonisation with international arrangements for UWB in Australia.

#### **Accredited persons scheme**

The accredited persons (APs) scheme provides a market-based solution for frequency coordination and device registration. Under the scheme, the ACMA accredits appropriately qualified persons to issue frequency assignment certificates for apparatus licences and interference impact certificates for spectrum licences. Since its introduction, radiocommunications licensees have seen the benefit of using the services of appropriately qualified APs. APs now undertake the majority of frequency assignment activity for the Australian radiocommunications sector.

During 2013–14, the ACMA performed its annual review of assignment activity undertaken by all APs. The aim of this process is to keep APs' skills and knowledge of frequency assignment and interference impact certification current, and to maintain the integrity of spectrum management arrangements. APs who have been inactive for at least two years are asked to provide advice on why their accreditation should not be withdrawn. In the reporting period, accreditation was withdrawn from three inactive APs. One AP sought a review of the decision to withdraw accreditation, which resulted in that decision being reversed.

In 2013–14, the total number of APs increased from 39 to 41 (see Table 4) and five new applicants were accredited. With the percentage of assignment activity performed by APs continuing to grow—increasing by three per cent in 2013–14 (see Table 5)—the AP scheme is considered to be operating effectively.

APs register all devices that require authorisation to operate under a spectrum licence, supporting the self-regulatory approach to spectrum management introduced in 1997. This approach allows licensees to take responsibility for much of the administration of their spectrum licences. In 2013–14, APs registered 176,532 devices operated under spectrum licences.

### Certificates of proficiency and operator examinations

The Australian Maritime College (AMC) in Launceston has provided marine radio operator certification and examination services on behalf of the ACMA since 2002. Under this arrangement, the AMC is also responsible for promoting the certification services and keeping examination methods relevant and accessible to marine radio users.

Table 6 details activity levels for the AMC's last two last financial years (Jan–Dec).

### Review of marine radio operator qualifications for recreational boaters

In October 2012, the ACMA published the outcomes of its review of regulatory arrangements for VHF marine radio operator qualifications for recreational boaters.

Outcomes were that the ACMA would:

- > Coordinate the development and implementation of the Australian Waters Qualification (AWQ), which will become the new mandatory qualification for recreational boaters using VHF marine radio channels within Australian territorial waters. It is anticipated that the AWQ arrangement will begin during 2014–15.
- > Align its remaining marine radio certificate of proficiency framework with the Maritime Training Package administered by the Transport and Logistics Industry Skills Council (TLISC) in the longer term.

The ACMA has facilitated the development of the proposed AWQ syllabus with extensive input from interested marine safety and training stakeholders. The TLISC has proposed to include the AWQ in the Maritime Training Package—expected to occur in the next financial year. The AWQ is also expected to be included in the Radiocommunications (Maritime Ship Station—27 MHz and VHF) Class Licence at this time.

**Table 4: Number of APs, 30 June 2010 to 30 June 2014**

	30 June 2010	30 June 2011	30 June 2012	30 June 2013	30 June 2014
	69	57	53	39	41

**Table 5: Assignments registered, 2009–10 to 2013–14**

	2009–10	2010–11	2011–12	2012–13	2013–14
Frequency assignments registered by APs	15,343 74%	16,278 72%	20,544 77%	19,040 80%	20,230 83%
Frequency assignments performed by the ACMA	5,559 26%	6,272 28%	5,978 23%	4,627 20%	4,198 17%

**Table 6: Marine radio operator certification and examination services—activity levels**

	2012	2013
<b>Total applications received</b>		
Marine Radio Operators Certificates of Proficiency (MROVP)	4,363	4,074
Marine Radio Operators VHF Certificate of Proficiency (MROVCP)	1,642	1,537
Marine Satellite Communications Certificates	39	40
<b>Total handbook sales</b>		
Marine Radio Operators Handbooks	3,801	2,878
Marine Radio Operators VHF Handbooks	2,151	2,122

*Source: Office of Maritime Communications Annual Performance Report 1 January to 31 December 2013.*

An independent study was commissioned into how to align the two qualification arrangements. The main issues identified were the requirement to include a competency component in the ACMA's marine radio examinations and some amendments to the components of the TLISC marine radio syllabi. It is anticipated that all these issues will be resolved in the next financial year.

In 2013–14, the ACMA continued its information campaign to inform recreational marine radio operators of the correct VHF radio channels to use in particular circumstances and the protocols they need to follow. The ACMA has produced 11 short videos, one in collaboration with the Bureau of Meteorology, to disseminate key campaign messages, and has also distributed online and printed material through organisations with close links to the recreational boating sector. State marine safety and regulatory bodies, marine volunteer organisations, boating industry organisations and other key interested bodies supported the campaign. The ACMA also used social media to disseminate key marine radio information messages, and attended selected boat shows and marine events in cooperation with AMC, the Bureau of Meteorology, and the Australian and New Zealand Safe Boating Education Group.

### Amateur radio operator examination services

The Wireless Institute of Australia (WIA) has provided examination services to the amateur radio community on behalf of the Australian Government since 1991. The WIA also issues amateur certificates of proficiency, administers amateur call signs and makes recommendations to the ACMA about their allocation.

The ACMA is responsible for issuing and varying amateur transmitter licences. During 2013, the WIA conducted 925 amateur examinations. Table 7 details the number of amateur certificates of proficiency issued based on the results of these examinations. Some amateurs may have needed to successfully undertake more than one examination to qualify for the relevant certificate of proficiency.

The WIA also made 1,062 recommendations on call sign allocation. The ACMA allocated 899 call signs based on these recommendations and approved 192 call sign changes.

**Table 7: Amateur certificates of proficiency issued, 2012 and 2013**

Certificate level	Certificates issued	
	2012	2013
Foundation	356	394
Standard	98	112
Advanced	89	97
<b>Total</b>	<b>543</b>	<b>603</b>

Source: Wireless Institute of Australia Annual Report 1 January to 31 December 2013.



## Broadcasting licence area plans and variations

### Television licence area plans

TLAPs are the long-term planning instruments for television broadcasting services, specifying and allotting channels to particular providers of television services and determining the characteristics, including technical specifications, of the broadcasting services that are to be available in particular parts of Australia with the use of those channels. TLAPs are also the primary instruments for managing the restack of digital television broadcasting services.

During the reporting period, the ACMA completed four TLAP variations (see Table 8).

### Radio licence area plan variations

Radio licence area plans (LAPs) are the planning instrument for radio services in Australia.

Over the reporting period, the ACMA completed four variations to radio LAPs (see Table 9).

**Table 8: Variations to TLAPs**

Service area	Purpose of variation
Brisbane— December 2013	To extend the channel allotment end date for the Brisbane community television service contained in the TLAP from 31 December 2013 to 31 December 2014.
Melbourne— December 2013	To extend the channel allotment end date for the Melbourne community television service contained in the TLAP from 31 December 2013 to 31 December 2014, and to make changes to the technical specifications to the commercial television repeaters in the Safety Beach area.
Sydney— December 2013	To extend the channel allotment end date for the Sydney community television service contained in the TLAP from 31 December 2013 to 31 December 2014.
Southern New South Wales— June 2014	To swap the WIN TV Ulladulla post-restack channel allotment with the Ulladulla unassigned channel allotment.

**Table 9: Variations to LAPs**

Service area	Purpose of variation
Darwin Radio— January 2014	To confirm the current operation of 8PNN Darwin, 8PNN Katherine, and 8HOT and 8MIX at Adelaide River; change the technical specifications for the national radio broadcasting services 8ABCFM, 8DDD, 8JJJ, 8PNN and 8SBSFM, and the commercial radio broadcasting service 8MIX to reflect their actual operating conditions; change the technical specifications for the commercial radio broadcasting service 8HOT to match those of 8MIX; modify the transmission site, output radiation pattern and antenna height of the community radio broadcasting services 8GGG, 8KNB, 8TOP and 8KTR; make an FM frequency available for a new community radio service at Darwin; and update the description of the existing commercial and community radio licence areas in the Darwin LAP to 2006 census data.
Gosford Radio— January 2014	To make available AM frequency 747 kHz with a maximum effective radiated power (ERP) of 500 watts (W) during the day and 200 W at night with an omni-directional antenna pattern available at Gosford for a high-powered open narrowcasting (HPON) broadcasting service; and update the description of the existing commercial and community radio licence areas in the Gosford LAP to 2006 census data.
Lismore Radio— January 2014	To make available an FM frequency 91.1 MHz with a maximum ERP of 1 kilowatt (kW) with an omni-directional antenna pattern available at Lismore for a HPON broadcasting service; and update the description of the existing commercial and community radio licence areas in the Lismore LAP to 2006 census data.
Sydney Radio— December 2013	To change the frequency (from 1476 kHz to 1386 kHz) and modify the radiation pattern of the Penrith HPON radio service currently operating on 1476 kHz; change the frequency to 783 kHz of the planned but unallocated Sydney community radio broadcasting service on 1386 kHz to accommodate the frequency change for the Penrith HPON service; and change the polarisation of the Campbelltown commercial radio broadcasting service 2MAC.

## Broadcasting licensing

In 2013–14, the ACMA:

- > issued 221 transmitter licences for national radio and television services
- > issued 250 transmitter licences for commercial radio and television services
- > issued 147 broadcasting retransmission licences
- > varied 48 radio and television apparatus licences
- > issued 94 special event broadcasting licences for radio and television services.

### Temporary community broadcasting licences

Temporary community broadcasting licences are allocated for a maximum 12-month licence period. During the reporting period, the ACMA allocated 86 temporary licences. As at 30 June 2014, there were 85 temporary licences—one licence allocated in the previous reporting period was still operating.

### Community radio broadcasting licences

During the reporting period, the ACMA:

- > allocated six community radio broadcasting licences for Wilcannia and Young (New South Wales), Gin Gin (Queensland), Wodonga (Victoria), Augusta and Kalgoorlie (Western Australia)
- > decided not to allocate the community radio broadcasting licences for Tiaro and Bundaberg (Queensland)
- > renewed 36 community radio broadcasting licences, of which three were remote Indigenous broadcasting services.

Consideration of two applications for community radio broadcasting licences in Coffs Harbour (New South Wales) and Geraldton (Western Australia) was ongoing at the end of the reporting period.

There were 358 community radio broadcasting licences at 30 June 2014, of which 72 were remote Indigenous broadcasting services.

### Commercial radio broadcasting licences

During 2013–14, the ACMA renewed 38 commercial radio broadcasting licences for services using the broadcasting services bands (BSB). No new commercial radio broadcasting licences were allocated for services using the BSB during the reporting period.

As at 30 June 2014, there were 273 commercial radio broadcasting licences.

## Commercial television

As at 30 June 2014, there were 69 commercial television broadcasting licences.

During 2013–14, the ACMA renewed 13 commercial television broadcasting licences.

### Community television

During the reporting period, the ACMA renewed three community television broadcasting licences.

The licences for three remote Indigenous community television broadcasting licences lapsed because the licensees did not submit an application for renewal.

During 2013–14, 12 remote Indigenous community television broadcasting licences were surrendered to the ACMA.

There were 54 community television broadcasting licences at 30 June 2014, of which 51 were remote Indigenous broadcasting services. The other three services were in Brisbane, Melbourne and Sydney.

### Community television trial

During 2013–14, the ACMA decided to extend community television trials in Adelaide and Perth for a further 12-month period from 1 January 2014 to 31 December 2014.

## Telecommunications licensing

### Carrier licensing

The ACMA granted 22 carrier licences in 2013–14, all within the statutory 20-day time frame. This is an increase from 2012–13, when 21 licences were issued. As at 30 June 2014, there were 208 licensed carriers in Australia.

A licensed carrier can surrender its licence by providing a written notice to the ACMA. In 2013–14, 13 carrier licences were surrendered. In addition, two carrier licences were cancelled as the corporation holding the licences was deregistered by the Australian Securities and Investments Commission.

The ACMA has issued 129 nominated carrier declarations from 1 July 1997. In 2013–14, the ACMA issued five nominated carrier declarations and revoked two. As at 30 June 2014, there were 74 nominated carrier declarations in force.

A complete list of carrier licences and nominated carrier declarations granted in 2013–14 is provided at Appendix 4.

The ACMA issued one trial certificate during 2013–14, compared with two in the previous reporting period.

## Telecommunications numbering

The ACMA is responsible for the Telecommunications Numbering Plan 1997, which sets out the framework for the numbering of carriage services in Australia and the use of numbers in connection with the supply of such services. The ACMA also manages the numbering resource and plans for new numbering developments in Australia.

### Numbering reform activities

In 2012, the ACMA completed a detailed examination of Australia's telephone numbering arrangements (the Numbering Work Program) in response to issues raised by consumers and industry through the ACMA's Numbering Advisory Committee. The issues identified by stakeholders had arisen due to deep changes in industry structures, service offerings and consumer behaviour that have occurred since the Numbering Plan was made. The aim of the ACMA's work was to identify what changes were needed to make the numbering resource more flexible, so that new technologies, uses and potential markets could be more readily accommodated as they emerge, and how best to remove artificial barriers to the efficient use of the resource.

During 2013–14, the ACMA continued to implement changes foreshadowed in the Numbering Work Program with the majority of the short- and medium-term actions completed.

In partnership with Communications Alliance, the ACMA expects to progress further work to streamline numbering arrangements, including changes to evolve the Numbering Plan to a more principles-based document supported by industry codes and guidelines during 2014–15 and 2015–16.

### Numbering services

One of the recommendations from the Numbering Work Program was for the ACMA to examine alternatives for the sustainable provision of numbering services in the long term. This work was undertaken during 2013, with the ACMA deciding it would be timely to test the market for the supply of numbering administration services. This would identify whether the market could provide the full suite of numbering administration functions more efficiently and innovatively than the existing arrangements.

In January 2014, the ACMA released a request for tender for an expanded range of numbering allocation and administration services. The ACMA expects to finalise the procurement process in the first quarter of 2014–15.

### New arrangements for mobile calls to 1800 and 13/1300 numbers

In June 2014, the ACMA agreed to a framework for call charges from mobile phones to 1800 (freephone) and 13/1300 (local rate) numbers. Developed in close consultation with the telecommunications industry and without direct regulatory intervention, the new arrangements take account of market changes in recent years and are intended to deliver a range of consumer benefits:

- > Individual mobile operators have made separate plans to make all calls to 1800 numbers from mobile phones free-of-charge and will be advising their customers about these plans in due course.
- > Mobile operators will offer '13-friendly' mobile plans in accordance with a guideline developed by Communications Alliance. Under these plans, calls to 13 and 1300 numbers will be charged against the included-value allowance of the plan, rather than billed separately.
- > Industry is implementing an awareness campaign to alert consumers to consider whether a '13-friendly' plan is appropriate for them when choosing their provider.

These initiatives will work in conjunction with other protections—notably call and data usage alerts from mobile providers—now required under the TCP Code.

The ACMA and industry will monitor how these issues work in practice so that consumers' experience is improved in both the short and long term.

### Numbering Advisory Committee

The Numbering Advisory Committee (NAC) is a formally constituted advisory committee to the ACMA and comprises representatives of the telecommunications industry, telecommunications users, community groups and government. The NAC provides advice and recommendations on issues related to the ACMA's numbering functions with the objective of improving the benefits to suppliers and users of carriage services, and facilitating competition.

The NAC met on three occasions during 2013–14. It provided advice on the Numbering Administration Project, sunseting of numbering-related legislative instruments and a range of other numbering matters.

### **Number allocations register**

The ACMA maintains a register of numbers allocated to carriage service providers (CSPs) and numbers that have been permanently transferred from one CSP to another. The information is contained in a database known as the Online Numbering System (NUMB). CSPs use the register to perform functions such as routing and billing, and to apply, transfer and surrender numbers. The ACMA uses NUMB to administer the annual numbering charge (ANC).

### **Numbering transactions**

During 2013–14, the ACMA assessed 54 separate applications for numbers from 13 different CSPs. Two CSPs were allocated both geographic and other numbers. The most common number types allocated remain geographic and digital mobile numbers.

The ACMA met its statutory requirements and KPIs by processing numbering applications within the 10-day statutory time frame. The time taken to process routine applications was approximately 7.4 working days, compared with the average of three working days for 2012–13. In 2013–14, the ACMA allocated:

- > 1,453,000 geographic numbers, 344,700 fewer than the 1,797,700 geographic numbers allocated in 2012–13
- > 2,620,000 digital mobile numbers, 290,000 fewer than the 2,910,000 digital mobile numbers allocated in 2012–13.

Table 10 shows the amount of numbers allocated by number type in 2013–14.

During 2013–14, the ACMA received five applications to surrender numbers from four CSPs. There were six permanent transfers of numbers between CSPs in 2013–14. Table 11 shows the numbers surrendered by number type and Table 12 shows the numbers transferred by number type. Some CSPs transfer or surrender multiple number types.

INMS is contracted to the ACMA to provide delegated services to industry for freephone (1800), local rate (13) and six- and eight-digit premium rate numbers. Services undertaken by INMS include number allocations, withdrawals, reservations and placements in quarantine. Table 13 shows the quantity of numbers allocated by INMS and Table 14 shows the quantity surrendered in 2013–14 by number type.

**Table 10: Quantity of numbers allocated by number type during 2013–14**

Type of number	CSPs allocated numbers	Quantity of numbers allocated
Geographic	9	1,453,000
Digital mobile	3	2,620,000
Mobile network codes	3	3
International signalling point code	1	1
Pre-selection over-ride code	2	3
<b>Total numbers allocated</b>		<b>4,073,007</b>

**Table 11: Quantity of numbers surrendered by number type during 2013–14**

Type of number	CSPs surrendering numbers	Quantity of numbers surrendered
Geographic	1	90,000
Operator service	1	1
Telex	1	3
DNAS	1	1
Calling card service	1	1
International service	1	1
LICS	1	1,000
<b>Total numbers surrendered</b>		<b>91,007</b>

**Table 12: Quantity of numbers transferred by number type during 2013–14**

Type of number	CSPs transferring numbers	Quantity of numbers transferred
Geographic	6	3,290,700
LICS	1	1,000
<b>Total numbers transferred</b>		<b>3,291,700</b>

**Table 13: Quantity of numbers allocated by INMS by number type and digit length during 2013–14**

Type of number	Quantity of numbers allocated
Freephone and local rate (1800, 1300, 13)	54,769
Premium rate numbers (six- and eight-digit 19 numbers)	44
<b>Total numbers allocated</b>	<b>54,813</b>

**Table 14: Quantity of numbers surrendered by INMS by number type and digit length during 2013–14**

Type of number	Quantity of numbers surrendered
Freephone and local rate (1800, 1300, 13)	19,517
Premium rate numbers (six- and eight-digit 19 numbers)	273
<b>Total numbers surrendered</b>	<b>19,790</b>

## Portability

Number portability is available for local, mobile, and freephone and local rate numbers.

The ACMA monitors the effectiveness of porting arrangements, including CSP compliance with the arrangements specified in the Numbering Plan and industry codes that set out the procedures for number portability. The ACMA is able to register new and revised industry codes, which makes them enforceable under the *Telecommunications Act 1997*.

In 2013–14, the ACMA continued to work with Communications Alliance and industry to identify regulatory issues that may emerge during rollout of the NBN. Communications Alliance reviewed the Local Number Portability Industry Code in 2013. The ACMA registered the revised code on 16 December 2013 and it took effect on 1 March 2014. A parallel review of possible future improvements, with recommendations on any improved industry arrangements to meet customers' porting needs, is ongoing.

The ACMA also receives and handles enquiries and complaints about number portability from industry and consumers, with 73 contacts in 2013–14.

Where appropriate, the ACMA may also grant an exemption from the number portability requirements. No exemptions from number portability were sought or granted in 2013–14.

## Pre-selection

CSPs are required to make pre-selection available on request for most standard telephone services. Pre-selection includes national long-distance calls, international calls and mobile calls, but not local calls.

Under the *Telecommunications Act*, the ACMA is able to exempt a carrier/CSP from the obligation to provide pre-selection. No exemptions were sought or granted during 2013–14.

A proposal to amend pre-selection obligations was included in a consultation paper released by DoC in April 2014. This matter is subject to ongoing consideration and should be finalised in the next reporting period.

## Revenue and fees

The ACMA is responsible for the efficient regulation and allocation of public resources such as telecommunications numbering and the radiofrequency spectrum. It also collects annual revenues through broadcasting, radiocommunications and telecommunications licence taxes, levies, fees and charges. The administration of taxes, levies, fees and charges plays a key role in the planning, allocation and use of public resources. These public resources are indispensable inputs to industry in the innovative and dynamic communications sector of the economy.

Where feasible under the applicable legislation, the ACMA sets fees, taxes and charges so they support the effective use of public resources. They also recover the costs of regulating the industry. In accordance with government cost-recovery policy and guidelines, and where it is cost-effective, the ACMA seeks to charge individuals or firms for the costs of providing the activity.

Revenue raised by the ACMA in taxes, charges, levies and other revenue is shown in tables 15 to 18.

## Stakeholder engagement

### Broadcasting licence fee information sessions

From 28 October to 4 November 2013, the ACMA conducted information sessions for commercial television and radio broadcasters in each of our state offices and at two site visits. The sessions were held to help broadcasters meet their obligations under sections 205B and 205C of the BSA, and provide training on the online system for lodging returns (71 per cent of the industry used the system to lodge returns in 2013–14).

### Telecommunications information sessions

In September 2013, the ACMA conducted information sessions in Sydney and Melbourne to help telecommunications carriers understand their legislative requirements for eligible revenue reporting and telecommunications funding arrangements.

### Telecommunications services funding

In 2011, the government signed an agreement with Telstra for basic universal telecommunications service outcomes during and after the rollout of the NBN. Public policy reforms to support the transition to the NBN included establishing TUSMA under the *Telecommunications Universal Service Management Agency Act 2012* (TUSMA Act). TUSMA commenced operations from 1 July 2012 to deliver the government's public policy objectives in the telecommunications sector, including giving all Australians reasonable access to a standard telephone service and payphones (the universal service obligation or USO) and managing emergency call-handling and the National Relay Service (NRS).

The funding of these telecommunications services and TUSMA's administrative costs are provided by the government, with the remainder shared by a telecommunications industry levy (TIL) on telecommunications carriers that earn above \$25 million. Under the TUSMA Act, the ACMA has an ongoing statutory role to determine and collect levies based on the minister's determination of the amount to be funded by industry.

The government announced during the reporting period its intention to transition TUSMA's functions to the Department of Communications.

**Table 15: Resource taxes**

Description	Revenue in 2012–13 (\$m)	Revenue in 2013–14 (\$m)
Reissue of 15-year spectrum licences <sup>^</sup>	1,481.653	0
Apparatus auctions	0.064	0.041
Number auctions	1.660	1.539
Spectrum licence tax*	0.321	0.324
Annual numbering charge	60.000	60.000
Apparatus licence tax	118.988	170.998
Broadcasting licence fees and datacasting charge	167.386	157.188
<b>Total taxes</b>	<b>1,830.072</b>	<b>390.090</b>

<sup>^</sup>Previously reported as 'Spectrum auctions'.

\*Spectrum licence tax was previously reported in Table 16: Cost recovery charges.

**Table 16: Cost recovery charges\***

Description	Revenue in 2012–13 (\$m)	Revenue in 2013–14 (\$m)
Annual carrier licence charge	38.885	38.303
Fee for service charges	3.122	3.915
Do Not Call Register charges	3.615	3.296
<b>Total charges</b>	<b>45.622</b>	<b>45.514</b>

\*Due to a reclassification from charges to taxes, 'Spectrum licence tax' is now reported in Table 15: Resource taxes.

**Table 17: Industry levies**

Description	Revenue in 2012–13 (\$m)	Revenue in 2013–14 (\$m)
USO levy*	145.128	0
NRS levy*	0.197	0
TIL	0	220.819
<b>Total levies</b>	<b>145.325</b>	<b>220.819</b>

\*Replaced by TIL in 2013–14.

The first TIL assessment under the TUSMA Act was made on 9 September 2013 for \$254.9 million and was based on the 2011–12 eligible revenue assessment. The TIL for this period was capped for non-Telstra carriers in accordance with a government commitment announced on 23 June 2012. Non-Telstra participating persons were required to pay the same amount (\$63.4 million in total) of final-year USO and NRS levies.

### Eligible revenue assessment

Any person holding a telecommunications carrier licence for any time during an eligible revenue period is required to submit an eligible revenue submission so that the ACMA may determine each carrier's eligible revenue. Carriers that earn revenue below \$25 million during an eligible revenue period and submit an eligible statutory declaration to the ACMA by 31 October of the relevant period are not required to submit an eligible revenue return, and are exempt from the TIL and the annual carrier licence charge. For the 2012–13 eligible revenue period, participating persons were required to lodge submissions with the ACMA by 31 October 2013. The ACMA made a written assessment of participating persons' eligible revenue for the 2012–13 eligible revenue period under the TUSMA Act on 11 April 2014.

The primary function of the eligible revenue process is to determine the contribution that each participating person makes to the cost of providing the USO and NRS, based on its proportion of total industry eligible revenue. The eligible revenue process is also used to determine each participating person's contribution to annual carrier licence charges.

The ACMA's written assessment of each participating person's eligible revenue for the 2012–13 eligible revenue period will be used to determine the TIL and annual carrier licence charge (ACLC) for each participating person for the 2013–14 eligible levy period.

### Annual carrier licence charges

Annual carrier licence charges are imposed under the *Telecommunications (Carrier Licence Charges) Act 1997* on participating carriers under cost recovery arrangements in order to recover the costs incurred by the ACMA, ACCC and Australian Government in regulating the telecommunications industry. The total charge is allocated to participating carriers based on their eligible revenue for the previous eligible period as determined by the eligible revenue assessment.

In 2013–14, the total annual carrier licence charge was \$38.303 million.

### Do Not Call Register access fees

Annual subscription fees for telemarketers and fax marketers to check their call lists against the Do Not Call Register ranged from \$79 (to check or 'wash' up to 20,000 numbers against the register) to \$90,000 (to wash up to 100 million numbers). There is also a subscription type that allows telemarketers to wash up to 500 numbers each year at no cost.

### Numbering charges

On behalf of the Australian Government, the ACMA collects a set amount of revenue each year from CSPs that hold telephone numbers. The ACMA collects this revenue through the ANC. The ANC revenue target is set by the government through the Federal Budget. As was the case in previous years, the ANC revenue target for 2013–14 was \$60 million.

CSPs are liable for the charges they incur for the numbers they hold on the census date. The census date is in April, with the exact date determined by the ACMA each year. The census date for 2013–14 was 6 April 2014. To enable the ACMA to determine the quantity of numbers held by each CSP on the census date, an embargo on the surrender of most numbers commences 15 working days prior to the census date each year. In 2013–14, the embargo commenced on 17 March 2014.

**Table 18: Other administered revenue**

Description	Revenue in 2012–13 (\$m)	Revenue in 2013–14 (\$m)
Fines and penalties	0.559	1.147
Other	0.469	0.469
<b>Total other administered revenue</b>	<b>1.028</b>	<b>1.616</b>



### Amount of charge

The base number charge for 2013–14 was 0.677523935. Employing the opportunity-cost methodology applied in previous years, nine-digit numbers were charged at 6.77523935, eight-digit numbers at 67.7523935 and so on. For the first time, three- and four-digit numbers were exempt from ANC. No numbers incurred the maximum cost of \$100,000 allowable under the *Telecommunications (Numbering Charges) Act 1997*.

Numbers used for incoming-only international services, internal network services and testing services were subject to a reduced rate of charge. Geographic numbers allocated to a CSP for the purposes of providing a standard telephone service to a customer are exempt from the charge.

At 30 June 2014, the ACMA had received \$58,525,082.56 million of the \$60 million revenue target. The amounts outstanding for each CSP are shown in Table 19.

### Number auctions

In 2004, the smartnumbers online auction system was introduced to allocate certain freephone and local rate numbers (FLRNs)—13, 1300 and 1800 numbers. Smartnumbers auctions are generally held fortnightly. In 2013–14, the ACMA sold 3,891 smartnumbers and received \$1,535,841 in revenue, in contrast to the \$1,683,489 in revenue raised from the sale of 4,479 smartnumbers in 2012–13. The ACMA continued to meet its KPIs for smartnumbers auctions by regularly conducting auctions.

### Apparatus licence taxes

The ACMA uses taxes on the issue of radiocommunications apparatus licences to support the efficient use of spectrum and recover the indirect costs of spectrum management. The tax is calculated by a formula that makes fees determinate, consistent, equitable and transparent. The formula encourages efficiency by making taxes higher in congested locations and spectrum bands, making taxes proportional to the bandwidth and giving discounts for low power.

In 2014, the CPI adjustment of 2.4 per cent, reflecting price changes from July 2012 to June 2013, applied to all licence taxes except for fixed services operating below 960 MHz in remote density areas.

### Spectrum licence tax

The spectrum licence tax is imposed on all holders of spectrum licences at 11 October each year. It allows the ACMA to recover from spectrum licensees the indirect costs of spectrum management activities such as international coordination, domestic planning, interference investigation and policy development. The spectrum licence tax is calculated based on the bandwidth and the population covered in a licence. In 2013–14, the ACMA collected approximately \$324,000 in spectrum licence tax.

### Broadcasting licence fees and datacasting charge

The ACMA collects broadcasting licence fees (BLF) from commercial radio and television broadcasting licence-holders under the *Television Licence Fees Act 1964* (TLF Act) and the *Radio Licence Fees Act 1964*. Supporting documentation is required under sections 205B and 205C of the BSA. Fees are calculated as a percentage of the gross earnings of the licence-holders for each broadcasting licence fee period, less any rebates that apply.

Table 19: Annual numbering charge amounts outstanding at 30 June 2014

CSP	Amount outstanding (\$)
mBlox Pty Ltd	\$67.75
Mobile Messenger Australia Pty Limited	\$20,054.71
Lycamobile Pty Ltd	\$1,356,753.20
Live Connected Pty Ltd	\$18,437.46
Vaya Pty Ltd	\$47,917.20
Yatango Mobile (Australia) Pty Ltd	\$31,687.12
<b>Total</b>	<b>\$1,474,917.44</b>

Note: Does not include late payment penalties that apply after 15 June 2014, the due date for payment.

Under the *Datacasting Charge (Imposition) Act 1998*, a datacasting charge is collected from commercial television broadcasting licensees who also hold a transmitter licence issued under the Radiocommunications Act and use the transmitter licence to provide a datacasting service(s) authorised by a licence under Schedule 6 of the BSA. During the current financial year, the ACMA collected \$1.223 million from datacasting services for the 2012–13 BLF return period.

In December 2013, television broadcasters paid a total of \$143.350 million in broadcasting licence fees, and radio broadcasters paid a total of \$21.562 million in broadcasting licence fees for the 2012–13 BLF period.

Table 20 shows total broadcasting licence fees collected by the ACMA in the last three financial years.

### Regional Equalisation Plan

The Australian Government introduced a Regional Equalisation Plan (REP) rebate scheme in 2000–01 to assist the rollout of digital television broadcasting services to regional and remote Australia. REP rebates against annual licence fees administered by the ACMA and, where necessary, supplementary grants administered by DoC, are claimable by broadcasters based on their area's progress in rolling out digital television services. The scheme will end on 31 December 2017. Commercial television broadcasters claimed total REP rebates of \$1.214 million in 2013–14.

## Technical regulation and related matters

The ACMA works closely with industry to foster self-regulation and supports it to develop technical standards that it may mandate, taking into consideration its obligations under the Telecommunications Act, Radiocommunications Act and BSA.

To achieve desired policy outcomes, the ACMA can mandate technical standards. ACMA technical standards are predominantly given regulatory effect through compliance and labelling obligations placed on all suppliers of electrical and electronic equipment, including telecommunications and radiocommunications devices.

The Technical Advisory Group (TAG) is a consultative forum established and chaired by the ACMA that includes representatives of industry associations, consumer electronics suppliers, standards development organisations, consumer groups, government agencies and ACMA staff from technical regulation areas. The TAG meets on an ad hoc basis as agreed by the members when there are identified matters that require discussion by the group. In 2013–14, the TAG discussed future arrangements for managing quality-of-service for voice telephony services. TAG members also provided feedback on a Communications Alliance proposal for an Industry Guidance Note to help consumers understand the technical capability of different voice services.

Table 20: Broadcasting licence fees

	Number of licences			Total (\$m)		
	2011–12	2012–13	2013–14	2011–12	2012–13	2013–14
Radio licence fees	273	273	273	25.1	24.4	21.6
TV licence fees obligation	68	69	69	311.4	294.8	144.56*
Less digital TV conversion rebate				3.8	2.3	1.21
Less broadcasting licence fee rebate				153.8	143.4	n/a*
TV licence fees				153.8	149.2	143.35

\*On 28 March 2013, the Television Licence Fees Amendment Act 2013 introduced amendments to the TLF Act by permanently reducing the annual licence fee payable by a commercial television broadcasting licensee by 50 per cent, to a maximum of 4.5 per cent of their gross earnings. From the 2012–13 BLF return period onwards, the broadcasting licence fee rebate no longer exists.

## Regulatory arrangements—technical standards and labelling notices

The ACMA administers mandatory regulatory arrangements that require specified items of equipment to meet industry-developed standards.

Under these arrangements, the ACMA may require suppliers—Australian manufacturers, importers or their agents—to:

- > ensure equipment subject to mandatory regulatory arrangements complies with technical standards
- > apply compliance labels to those items where appropriate
- > keep appropriate records.

The ACMA administers five regulatory arrangements:

- > telecommunications regulatory arrangements, which specify requirements for telecommunications customer equipment and customer cabling
- > radiocommunications regulatory arrangements, which specify requirements for radiocommunications transmitters
- > electromagnetic compatibility (EMC) regulatory arrangements, which specify electromagnetic emission requirements for electrical and electronic devices to limit unintended radiation
- > electromagnetic energy (EME) regulatory arrangements, which set health exposure limits on emissions from radiocommunications transmitters
- > broadcasting regulatory arrangements, which can specify technical standards for specified digital broadcasting equipment and domestic digital receivers.

### Labelling notices

The ACMA's four labelling notices require suppliers to apply a regulatory compliance label to specified devices to illustrate compliance with the requirements of the relevant notice.<sup>5</sup>

In 2012–13, the ACMA began a review of the Telecommunications (Customer Equipment and Customer Cabling) Labelling Notice 2001 (the TLN). During 2013–14, the ACMA consulted informally to develop its understanding of industry needs and contribute to the development of a public consultation paper that includes a proposed revised TLN expected to be published early in the next reporting period. The purpose of the consultation includes a review of definitions and underlying concepts included in the TLN, and how they apply to the contemporary communications environment. Under the LIA, the TLN is due to sunset on 1 April 2015. A number of ACMA technical standards are also due to sunset on 1 April and 1 October 2015.

The TLN review is considering the impact of changes in the supply market for communications products, changes in technology (including the emergence of equipment that operates across multiple platforms and technologies) and the rollout of optical-fibre infrastructure. While structural changes to the TLN will be significant as the arrangements are made more contemporary, requirements to comply with technical standards, apply labels and maintain specified records are expected to remain.

The TLN review will be completed by the fourth quarter of 2014, so that the arrangement continues uninterrupted after the sunset date in April 2015.

### Technical standards, codes and guidelines

The ACMA participates in Communications Alliance reference panels and working committees and Standards Australia technical committees to confirm that technical standards and guidelines that are adopted or referenced in its regulatory arrangements meet the minimum necessary requirements for technical regulation.

The ACMA only mandates a standard that is suitable for adoption under the ACMA heads of power for the relevant arrangement—for example, health and safety, access to emergency call services, radiofrequency interference and network integrity. These are identified within the various Acts under which a standard is made. The ACMA may also choose to determine a standard in response to a ministerial direction on the general exercise of its powers in relation to broadcasting, content and datacasting functions, in accordance with section 14 of the ACMA Act.

<sup>5</sup> The four labelling notices specify requirements for telecommunications, radiocommunications, EMC and EME. There is no labelling notice under the BSA for broadcasting equipment and domestic digital receivers.

During the reporting period, the ACMA participated in two Communications Alliance Reference Panels, one Communications Alliance Committee, one Communications Alliance Working Group, nine Standards Australia Committees and two industry advisory groups.

### **Telecommunications standards**

The ACMA's mandatory technical standards for customer equipment are underpinned by technical standards developed by Communications Alliance and Standards Australia.

During 2013–14, the ACMA received five submissions from Communications Alliance for changes to technical standards referenced in the ACMA's regulatory arrangements. The relevant ACMA technical standards were updated accordingly to reference the revised Communications Alliance arrangements.

### **Radiocommunications standards**

The ACMA's mandatory technical standards for radiocommunications equipment are underpinned by technical standards developed by Standards Australia through its RC4 and RC6 working groups.

The ACMA mandates appropriate aspects of industry radiocommunications standards by way of standards made under section 162 of the Radiocommunications Act. The ACMA's radiocommunications standards may adopt the industry standard in whole or in part and include specified variations for Australian conditions as required. The requirement to label devices scoped by these standards is given effect through the Radiocommunications Devices (Compliance Labelling) Notice 2003 (the RLN).

In 2013–14, the ACMA amended the RLN to require suppliers of wireless audio devices to include information on the operation of devices in the 694–820 MHz frequency range.

Under the LIA, the RLN and a number of standards referenced in the RLN are due to sunset in 2015. During 2013–14, the ACMA began a review of the RLN and those standards that are due to sunset in 2015.

As part of the review, the ACMA is proposing to move to a model of standards adoption under the RLN where amendments or replacements of industry standards are automatically adopted under the arrangements. Currently, this arrangement only applies to the Radiocommunications (Short Range Devices) Standard 2004. All other ACMA radiocommunications device standards adopt a fixed version of the applicable industry standard.

In 2013–14, the ACMA made one new radiocommunications technical standard for Short Range Devices.

### **Electromagnetic compatibility standards**

The ACMA, as part of its spectrum management function, determines radiocommunications standards that specify emission limits for electrical and electronic equipment that are not intentional radiocommunications transmitters. These standards are referred to as electromagnetic compatibility (EMC) standards.

The requirement to label devices scoped by EMC standards is given effect through the Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008 (the EMC LN).

The ACMA's mandatory technical standards for EMC are underpinned by technical standards developed by Standards Australia through its TE-003 working group, and international standards developed by the International Electrotechnical Committee (IEC) and the International Special Committee on Radio Interference (CISPR). As part of its ongoing work with TE-003, the ACMA continually updates the list of applicable EMC standards. The standards list was updated a number of times during the reporting period—most recently in January 2014.

## Electromagnetic energy standards

The ACMA's EME health exposure regulatory arrangement requires a wide range of radio transmitter installations and portable equipment, such as mobile phone handsets, to comply with EME limits set out in a standard published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields—3 kHz to 300 GHz (2002) (the ARPANSA Standard) is based on guidelines from the internationally recognised International Commission for Non-Ionizing Radiation Protection (ICNIRP), which has been adopted by many other countries. The EME arrangement addresses possible adverse health effects without unnecessarily compromising the benefits that radiocommunications technologies bring to modern living.

To comply with the EME exposure limits, licensees must have their transmitter installations assessed, and manufacturers and importers of mobile phones and similar equipment must have their products tested for compliance before supply is permitted to the Australian market. Significant penalties apply for breaches of the EME arrangement.

See *Priority compliance areas* on page 72 for information on the visual inspection program of mobile base stations the ACMA conducted in 2013–14.

During 2013–14, the ACMA commenced a review of the Radiocommunications (Compliance Labelling—Electromagnetic Radiation) Notice 2014 (the EME Labelling Notice) and the Radiocommunications (Electromagnetic Radiation—Human Exposure) Standard 2014 (the Human Exposure Standard) that are subject to sunset provisions in 2015. Draft instruments were released for public comment in March 2014. The review is expected to be completed in the next reporting period.

## Broadcasting technical standards—digital television

The ACMA consults with industry and provides input to Standards Australia processes for the development of appropriate industry technical standards for digital television. Where appropriate, the ACMA may determine technical standards for specified broadcast transmitters and broadcast reception equipment operating in digital mode.

The industry technical standards for digital television transmission and reception equipment have been under review by the Standards Australia working committees and are expected to be finalised in 2014. The ACMA's participation in this review provided the opportunity to reference its mandatory parental lock standard within the voluntary industry standard. This aligns the industry standard and the ACMA standard, so that industry participants using the industry standard are aware of the obligation to provide the parental lock function in receivers.

## Cabling regulation

Under the Telecommunications Act, the ACMA has regulatory powers to set safety and network integrity standards for cabling installation practices.

The ACMA's approach to regulating customer cabling includes:

- > overseeing the industry-managed cabling registration scheme
- > monitoring and enforcing compliance with cabling regulatory requirements
- > supporting greater cabling industry self-regulation
- > promoting consumer and industry awareness of regulatory arrangements of customer cabling.

## Cabling registration scheme

Cabling Provider Rules (CPRs) are based on an industry-managed national registration system. The ACMA currently accredits five industry bodies to be registrars under CPRs. These registrars issue registrations to cabling providers.

At 30 June 2014, there were 71,057 registered cabling providers. The ACMA continues to monitor the performance of registrars in meeting their contractual obligation to provide registration services to the cabling industry. It also works with registrars to improve reporting arrangements and monitor service delivery levels across the industry through quarterly meetings of the ACMA's Registrars' Coordinating Committee (RCC). The ACMA also meets quarterly with the Cabling Advisory Group (CAG) on technical issues and related cabling policy. The CAG includes a wide range of representatives from the cabling industry.

### Installation of specialised customer cabling

Under amendments to the ACMA's customer cabling regulatory arrangements that commenced on 1 July 2012, registered cabling providers are now required to have the necessary skills to install specialised higher speed cabling in customer premises. This requirement has two primary objectives:

- > to make sure that specialised cabling is installed in accordance with safe installation practices, including appropriate occupational health and safety practices
- > to give end users the full benefits of the NBN and other high-speed carriage networks.

From 1 July 2014, all cabling providers undertaking specialised cabling work (broadband, structured, optical fibre, aerial, underground and coaxial) must have the relevant competencies for the particular specialised cabling work. Cabling providers are only required to have competencies in specialised cabling work if they are actually undertaking that type of work.

### Review of cabling wiring rules

A review of AS/CA S009: *Installation requirements for customer cabling (Wiring Rules)* by Communications Alliance was completed in February 2013. The new revised wiring rules (AS/CA S009:2013) replaced the current AS/CA S009:2006 on 1 July 2013. AS/CA S009 is the industry publication containing the installation practices for providers installing customer cabling that connects to a telecommunications network. Cabling providers registered under the ACMA's cabling regulatory arrangements are required to comply with the Wiring Rules.

### Review of types of cabling work

A review of the Telecommunications (Types of Cabling Work) Declaration 1997 was completed in October 2013. The review re-examined the categories of cabling work subject to the ACMA's CPRs. The review identified and proposed amendments to the declaration to:

- > Clarify the distinction between the simple connection of 'plug-and-play' associated customer cabling products (which may be performed by any person, including end users) and the connection or installation of associated customer cabling products that are concealed in building cavities (which must be performed by registered cabling providers).

- > Update outdated references and definitions.

The revised Types of Cabling Work Declaration was made by the ACMA in October 2013.

### Sunsetting cabling instruments

The Telecommunications Cabling Provider Rules 2000 and the Accreditation Procedures for Cabling Provider Registrars are due to sunset in October 2015. In June 2014, the ACMA released for public comment a proposal to make a new instrument to replace the cabling instruments prior to their sunset date without any substantive changes to their regulatory requirements. In making this instrument, the ACMA is seeking to rationalise the overall number of cabling instruments by consolidating the two sunsetting instruments with the Telecommunications Cabling Provider Rules 2000—Arrangements for Operation of the Registration System (No. 3) (2012). The proposed new consolidated instrument will replace the three individual instruments.

### Quality-of-service issues for standard telephone services

Quality-of-service (QoS) refers to the technical aspects of a voice connection. While QoS has historically been regulated by means of technical specifications for circuit-switched voice telephony, voice over internet protocol (VoIP) is currently managed by non-regulatory means.

The ACMA is assessing the current regulatory mechanisms to determine whether they provide sufficient safeguards for the provision of voice telephony services delivered using IP-based networks. While the current regulation was developed primarily to regulate voice-only networks, the contemporary technical, operational and commercial environment is far more complex.

As a result of discussions initiated by the ACMA, in 2013–14 Communications Alliance developed a draft Industry Guidance Note on VoIP Quality of Service. The ACMA has provided feedback to Communications Alliance and is further considering appropriate measures to manage QoS issues in light of the government's revised NBN deployment.

## Advice to the minister on NBN level playing field exemption requests

The level playing field arrangements apply to fixed-line local access networks (or a part of such networks) that are built, upgraded, altered or extended after 1 January 2011 so that they are capable of providing carriage services where the download transmission speed is normally more than 25 megabits per second to residential or small-business users. The effect of the arrangements is that such 'superfast networks' (other than the NBN) must be wholesale-only, and that the operator of such networks must supply a Layer 2 bitstream service on an open-access and non-discriminatory basis.

The arrangements mean that end users have access to the same types of service outcomes whether they are connected to the NBN or another network provider. The arrangements also support NBN Co in achieving its national objectives, including uniform national wholesale pricing, by creating a more level playing field.

The Telecommunications Act allows the minister to give exemptions (conditional or unconditional) from the level playing field arrangements. Exemptions may relate to specified networks, specified local access lines or network owners. In considering requests for exemptions, the minister is required to consult the ACMA and ACCC. In 2013–14, the ACMA provided technical advice to the minister on an extension to the exemption application for Telstra's South Brisbane Exchange Service Area.

## Telecommunications infrastructure regulation Carriers' rights and obligations

Schedule 3 of the Telecommunications Act gives carriers the power to inspect land to determine whether it is suitable for their purposes, install certain facilities on the land and maintain a facility that is situated on the land.

The Telecommunications (Low-impact Facilities) Determination 1997 specifies the types of facilities (known as 'low-impact' facilities) that carriers are entitled to install without seeking state, territory or local government planning approval. Examples of low-impact facilities include small radiocommunications antennae and dishes that are erected on existing towers or buildings and underground cables.

The ACMA may investigate suspected breaches of the Telecommunications Act, the code of practice and industry codes registered by the ACMA.

## Enquiries and complaints about carriers' rights and obligations

In 2013–14, the ACMA received no complaints about matters covered by Schedule 3 of the Telecommunications Act. The ACMA received 72 enquiries from local councils, solicitors, landowners and members of the public about Schedule 3 of the Telecommunications Act and the code of practice.

## Mobile phone base station deployment

The planning and installation of mobile phone network infrastructure is subject to the requirements imposed by industry code C564:2011 *Mobile Phone Base Station Deployment*. The code is registered by the ACMA under Part 6 of the Telecommunications Act and came into effect on 1 July 2012.

Under the code, industry must take a consultative and precautionary approach to the deployment of mobile phone network infrastructure. Carriers must consult with local councils and the community on the placement of certain mobile phone facilities, typically low-impact facilities. Anyone not satisfied that a carrier has complied with the code may complain to the ACMA. In accordance with Part 26 of the Telecommunications Act, the ACMA may do one of the following:

- > decide to investigate the matter
- > make preliminary enquiries of the respondent to decide whether to investigate the matter
- > decide not to investigate the matter.

The criteria to consider are those set out in the code and in Schedule 3 to the Telecommunications Act. The ACMA has the power to issue formal warnings and directions to carriers to comply with the code. It does not have the power to make a carrier relocate its facility.

In 2013–14, the ACMA received two complaints and 23 enquiries about the industry code. Of the complaints received, the ACMA considered that the matters raised were not sufficient to warrant investigation. Carriers conducted an estimated 3,447 consultations under the code during this period.

## Submarine cable protection

Submarine cables carry the bulk of Australia's international voice and data traffic, and contribute significantly to the Australian economy.

Schedule 3A of the Telecommunications Act permits the ACMA to declare protection zones over nationally significant cables and to prohibit or restrict activities that pose a risk of damaging cables in these zones. The legislation establishes offences for damaging a cable or breaching prohibitions and restrictions, and creates penalties for these offences. Australia has three submarine cable protection zones—two off the Sydney coast and one off the Perth coast.

No requests for new submarine cable protection zones were considered during 2013–14.

Two applications for non-protection zone installation permits (NPZ permits) were granted to separate carriers during 2013–14. Both NPZ permits allow installation of submarine cables in the waters beyond the Perth Submarine Cable Protection Zone.

Two applications for protection zone installation permits (PZ permits) were also granted during 2013–14 to install submarine cables; one in the Perth PZ and one in the Southern Sydney PZ.

The ACMA received two requests to extend an existing PZ permit in 2013–14 and one request to vary an existing PZ permit.

New legislation, brought into effect on 28 May 2014, has amended Schedule 3A. The amendments provide transparency and certainty to submarine cable operators, and further enhance the operation of the submarine cable installation permit system so that administrative processes are more efficient.

Key changes to Schedule 3A include:

- > providing a clearer consultation process between the ACMA and the Attorney-General's Department on submarine cable installation permit applications
- > removing the requirement to obtain multiple permits to install a submarine cable that runs through a protection zone and non-protection zone areas
- > shortening permit application time frames
- > reducing unnecessary duplication with the *Environment Protection and Biodiversity Conservation Act 1999*.

## Compliance and enforcement

The ACMA works with the communications and media industries to foster compliance with legislation, codes, licence conditions and other regulatory instruments. It also registers and monitors compliance with industry codes developed by the communications industry.

The ACMA applies a principles- and risk-based approach to compliance and enforcement that generally:

- > recognises the capacity of regulated entities to become compliant
- > reflects the importance of cooperative approaches using, among other things, education and awareness to achieve voluntary compliance, but also recognising that a range of escalated compliance actions are available, as demonstrated in the examples below
- > matches enforcement responses so they are proportional to the seriousness of the non-compliance and take account of broader compliance objectives
- > maintains flexibility and preparedness to escalate and de-escalate compliance action.

This approach supports and enables the effective and efficient achievement of compliance objectives so that any regulatory burden imposed by the ACMA's compliance activities is the minimum necessary to achieve the intended outcome.

The following section discusses compliance in the major areas of:

- > radiocommunications
- > cabling and labelling
- > telecommunications
- > unsolicited communications (including telemarketing and spam)
- > broadcasting
- > online content
- > interactive gambling.



## Radiocommunications compliance

The ACMA manages compliance with the Radiocommunications Act and subordinate instruments relating to the operation of radiocommunications transmitters and the technical regulation of equipment.

In 2012–13, the ACMA introduced its new risk-based compliance approach to the technical regulation of equipment, and continued this approach in 2013–14. Figure 3 shows how intelligence-gathering and risk analysis enable the ACMA to set strategic compliance priorities that are aligned with regulatory objectives. This approach comprises the following steps:

- > **Gather**—the ACMA collects raw data on non-compliance with technical regulations through complaints received, research and investigative methods.
- > **Analyse**—the data is analysed to determine the risk ranking (high/medium/low) of each issue and assess the impact on the following parameters:
  - > safety and life
  - > consumers and the public
  - > spectrum management
  - > government regulation
  - > commerce and the economy.

This risk assessment methodology is used to determine the priority compliance areas.

- > **Respond**—the ACMA responds to the issue of non-compliance in accordance with the risk ranking of the issue and whether it falls within a priority compliance area. This approach enables the ACMA to effectively focus its resources on addressing high-risk issues, while keeping a watching brief on lower risk matters. This has also been an effective way to manage external expectations about the types of issues that the ACMA will pursue.

### Priority compliance areas

The ACMA adopts an evidence-based approach in deciding its priority compliance areas (PCA) for technical regulation. These are decided through intelligence-gathering mechanisms, analysis and risk assessment. The PCA program is holistic—from educating individuals about the law (before non-compliance has occurred) to implementing traditional enforcement (after the law has been broken). This end-to-end view enables the ACMA to extend its regulatory reach in an effective and targeted way.

Figure 3: The ACMA's strategic compliance approach



In 2013–14, the PCA were:

- > **Radiocommunications standards compliance**—the ACMA identified certain types of radiocommunications equipment that presented a high risk of interference. The risks arose from the proliferation of devices being imported that were designed for use in overseas locations with non-harmonised spectrum and from devices capable of end user re-programming. Such equipment included front-programmable radios.
- > **Illegal mobile phone repeaters**—operated unlawfully, repeaters can cause substantial interference to the mobile phone network and may adversely affect mobile services, including access to the Emergency Call Service. Because these risks remained high, the ACMA continued to target them as a PCA in 2013–14, by:
  - > Responding to instances of repeater use by individuals, including those cases reported by mobile phone carriers. In such instances, the illegal operation of repeaters creates substantial interference risks to mobile communications.
  - > Conducting site visits at regional communities in the Northern Territory, which included monitoring the radiofrequency spectrum for potential repeater use and educating individuals about the law.
- > **Mobile phone and GPS jammers**—mobile phone jammers are generally devices designed to operate within the frequency bands 870–960 MHz or 825–845 MHz and to interfere with radiocommunications, while GPS jammers are transmitters designed to interfere deliberately with GPS devices. As these prohibited devices continued to present a high risk to public safety and the integrity of the radiofrequency spectrum, the ACMA again targeted them as a PCA in 2013–14, including by working in collaboration with Roads and Maritime Services in New South Wales to address GPS jammer use among the road haulage industry.

- > **Telecommunications standards and cabling**—identified as a PCA because the impact of the national rollout of the NBN increased the risk of non-compliant cabling. Work in 2013–14 included conducting inspections of 22 new housing estates in New South Wales, Victoria, South Australia and Western Australia to determine general compliance of cabling work conducted under the Telecommunications Act.
- > **Transmitter licensing compliance**—identified as a PCA because of ongoing community concern and the need for the ACMA to systematically determine the level of industry compliance. Work in 2013–14 included conducting a visual inspection program of 952 mobile base station transmitter sites. An EME visual inspection is a resource-efficient way to assess the compliance level for the site but does not include taking EME radiation measurements. In conjunction with information about the transmitter obtained from the ACMA's radiocommunications licensing database, a visual inspection provides a measure of confidence that the installation does not pose an EME risk. This can be achieved by an inspector visually assessing site accessibility and controls, signage, antenna and tower installation practices, and the proximity of public places. Of the sites inspected, 39 proceeded to a formal EME records audit. In each case, compliance with the EME transmitter licence condition was established, including six cases where further information was sought from the licensee. Since 2008, the ACMA has conducted 1,288 radiocommunications site audits across a variety of radiocommunications sites that have included an EME visual inspection.

### Detections and investigations

In addition to planned targeted compliance action, the ACMA also responds to and investigates complaints and undertakes field intelligence.

### LED globes

During 2013–14, the ACMA received a large number of complaints about certain models of LED globes causing domestic systems interference to free television reception. Following a combination of field intelligence, standards audits and requests to suppliers to conduct further testing, the ACMA requested that two suppliers voluntarily cease selling certain models of LED globes that were causing interference. While the ACMA found no systemic industry non-compliance, this work highlighted that manufacturers changing components after compliance testing can significantly increase the risk of non-compliance.

### Mobile phone repeaters

The ACMA receives complaints and reports from members of the public and mobile phone carriers about interference to their mobile networks. Interference can be caused by the unlicensed use of mobile phone repeaters that may substantially disrupt mobile networks. Mobile phone carriers work with the ACMA to locate the cause of the interference.

In the reporting period, the ACMA received 82 reports or complaints of interference to a mobile network caused by the unlicensed use of a mobile phone repeater. Of those, 43 were investigated and resolved by educating the operator. The remaining 39 complaints from mobile phone carriers remained unconfirmed, were self-resolved or otherwise did not persist.

Through its investigations, the ACMA found all the mobile repeaters were purchased online from an overseas supplier without the necessary authority of the mobile phone carrier. As a result, the ACMA implemented a number of communications strategies to educate online consumers on the law relating to mobile phone repeater use in Australia (see *Preventative compliance measures* on page 75).

### Prohibited devices

The ACMA has established arrangements with Australia Post to detect and seize prohibited devices travelling in the international mail stream. It has also established relationships with three private international mail carriers and received in-principle agreement that they surrender any detected prohibited devices.

In the reporting period, 57 devices were detected and handed to the ACMA (see Table 21). Of these, 56 were detected by Australia Post in the international mail stream, while 23 devices detected by state police and the Australian Federal Police were forwarded to the ACMA for testing.

In response to the prohibited devices detected by Australia Post, the ACMA sent a letter to the addressees informing them that:

- > the device they bought online from an overseas retailer is prohibited
- > the device had been forfeited to the Commonwealth
- > penalties may apply if, under section 189 of the Radiocommunications Act, they are found to purchase a prohibited device again.

This approach reduced the risk to spectrum utility and interference to mobile phone users without imposing an undue burden on industry or consumers, in accordance with the established compliance principles.

### GPS jammer prosecution

Following the ACMA's joint operation with the Victorian Taxi Services Commission in 2012, a prosecution began against a taxi driver found to be using a GPS jamming device. In December 2013, the driver was found guilty of causing interference contrary to the Radiocommunications Act, convicted and fined \$850.

A second prosecution involving another Victorian taxi driver using a GPS jammer has commenced.

### Supplier auditing program

The ACMA continued to transform its data collection and overall compliance approach, moving from targeting those who are registered (and displaying a willingness to comply) to those who sell goods via unregulated channels such as online shopping. During 2013–14, field intelligence was complemented by a web-based search tool to identify Australian suppliers, who were generally audited or investigated further. This approach has enabled the ACMA to better understand the Australian market and identify systemic issues of non-compliance.

Table 21: Prohibited devices, 2011–12 to 2013–14

Action type	Number of actions		
	2011–12	2012–13	2013–14
Prohibited devices detections	179	25	57

The ACMA conducts audits in a strategic and targeted manner based on intelligence, including complaints, and risk assessment. This uses resources more efficiently and reduces compliance costs or ‘red tape’ for industry. Targeted audits of registered suppliers’ compliance documentation continue to be a vital component in achieving compliance with the labelling and record-keeping requirements of the Radiocommunications Act and Telecommunications Act.

The recent overall trend of an increased number of audits with a decreased number of failed audits suggests that industry is generally compliant and endorses the ACMA’s approach to compliance enforcement (see Table 22). This trend has also occurred in the context of an increasingly focused and strategic approach to auditing generally designed to target higher risks.

See also *Regulatory arrangements—technical standards and labelling notices* on page 66.

### Preventative compliance measures

The ACMA’s traditional enforcement activities, which have been the backbone of the technical compliance program, were complemented by communications activities in 2013–14. These sought to reduce non-compliance, and highlighted the need for traditional enforcement action through education and awareness.

Each communications strategy focused on key areas of the consumer and supply market. This versatile approach tailored the compliance message to the particular audience through:

- > undertaking search engine advertising for prohibited devices and mobile phone repeaters
- > using social media and online communications
- > publishing supporting material like infographics
- > conducting site visits to retailers of radiocommunications devices and providing information to promote improved compliance.

### Licensing compliance—statutory enforcement principles at work

The ACMA conducts investigations into suspected contraventions of the Radiocommunications Act and subordinate instruments for the operation of radiocommunications transmitters. These contraventions include unlicensed operation of transmitters, breaches of licence conditions and breaches of offence provisions relating to interference.

During 2013–14, the ACMA conducted 339 investigations into non-compliance with the transmitter licensing regulatory arrangements and issued 366 compliance actions (see Table 23).

### LPON services

LPON services provide niche radio broadcasting services to an audience in a limited area of reception (for example, tourist information services) or for a regular event. LPONs are very low power—not more than one watt in residential areas or 10 watts in rural areas. LPON licences are also subject to conditions relating to operation of the service.

In the reporting period, the ACMA issued two infringement notices for breaches of licence conditions. Investigations into provision of service complaints are reported in Table 24.

See also *Low-power open narrowcasting (LPON) services review* on page 48.

### Radiocommunications interference management

The ACMA administers radiocommunications licensing arrangements established by the Radiocommunications Act. It undertakes field-based activities to investigate interference to radiocommunications, telecommunications and broadcast services.

During the reporting period, the ACMA had 20 field staff in three offices—Brisbane, Melbourne and Sydney—who were responsible for field activities and had access to 18 specially equipped vehicles.

**Table 22: Audits of registered suppliers, 2011–12 to 2013–14**

Action type	Number of actions		
	2011–12	2012–13	2013–14
Audits conducted	26	51	111
Failed audits	4	14	21

Key field activities included:

- > responding to complaints of interference to radiocommunications and broadcasting services across the radiofrequency spectrum from 500 kHz in the MF (Medium Frequency) band to 42 GHz in the EHF (Extremely High Frequency) band
- > conducting investigations into non-compliance for radiocommunications, telecommunications, technical regulation and customer cabling
- > undertaking proactive compliance activities (audits and site inspections)
- > providing radiocommunications interference resolution support for major events (for example, the Australian Formula One Grand Prix and the Australian Motorcycle Grand Prix)
- > conducting education and awareness activities.

The High Frequency or HF band (3–30 MHz) continues to be heavily used for aviation, broadcasting, maritime, remote area and emergency services communications. From its station in Quoin Ridge near Hobart, the ACMA uses a national network of HF direction-finding and monitoring antennae to identify and resolve sources of interference in the HF band. Often this involves cooperation with administrations in other countries because of the long distances over which transmissions can propagate in the HF band.

During the reporting period, the ACMA received 19 complaints of interference and worked with international counterparts including the FCC (Federal Communications Commission) in the US and Ofcom in the UK to check that the HF band continues to be available for licensed services.

**Table 23: Radiocommunications compliance investigations, 2011–12 to 2013–14**

Action type	Number of actions		
	2011–12	2012–13	2013–14
Radiocommunications-related investigations	143	464	339
Advice notices issued	35	19	6
Warning notices issued	77	157	120
Infringement notices	0	1	11
Notices related to unlicensed operation of a transmitter	130	189	116
Prosecutions commenced	0	0	5

**Table 24: LPON investigations, 2011–12 to 2013–14**

Action type	Number of actions		
	2011–12	2012–13	2013–14
LPON investigations conducted	6	9	5

**Table 25: Radiocommunications enforcement actions, 2012–13 and 2013–14**

Action type	Number of actions		
	2011–12	2012–13	2013–14
Advice notices issued	250	206	138
Warning notices issued	67	171	220
<b>Total</b>	<b>317</b>	<b>377</b>	<b>358</b>

The ACMA also responds to complaints about interference to licensed radiocommunications services and domestic broadcast reception systems in higher frequency ranges. Most complaints of interference involve either mobile communications services operating from 118 MHz to 2.1 GHz or broadcast services in the AM, FM or UHF bands. Radiocommunications interference affects radiocommunications receivers used typically in commercial, public safety and recreational services. Domestic systems interference affects the reception of licensed radio or television broadcast services in domestic premises.

A failure to comply with technical standards or transmitter licence conditions may result in interference to radiocommunications. To determine compliance with the regulatory framework, the ACMA regularly conducts interference tasks and site audits tasks in response to complaints and site audits on a risk-assessed basis.

During the reporting period, the ACMA responded to 398 complaints of interference to radiocommunications services (518 in 2012–13) and 663 complaints of interference to domestic radio and television broadcast reception (413 in 2012–13). The ACMA also inspected 278 radiocommunications sites for compliance with transmitter licence conditions (770 in 2012–13).

As a result of interference investigations and site inspection activities, the ACMA issued 358 advice and warning notices (see Table 25).

Of the 398 complaints of interference to radiocommunications services, 236 were about mobile telecommunications networks (322 in 2012–13). A further 22 radiocommunications complaints involved interference to public protection radio services, including to emergency services radio networks and air traffic communications (37 in 2012–13). The ACMA responded to all radiocommunications interference complaints related to safety-of-life issues immediately on receipt. Of the public protection complaints that were affected by external interference, the ACMA resolved 83 per cent within 10 days. The ACMA also located 16 inappropriately activated Emergency Position Indicating Radio Beacons (18 in 2012–13).

### **Radiocommunications interference prosecutions**

In 2013–14, three prosecutions were commenced in response to deliberate interference to radiocommunications:

- > prolonged interference to Victoria Police frequencies, which affected police operations
- > deliberate interference to a Victorian taxi service
- > repeated complaints of harassing and offensive transmissions on the Citizen Band Radio Service in Adelaide.

### **High-frequency direction-finding and monitoring system project**

In July 2013, the ACMA started a project to replace its existing high-frequency direction-finding (HF DF) network and the consequent relocation of Very High Frequency/Ultra High Frequency (VHF/UHF) facilities in some locations. The project is implementing a New Policy Proposal announced in May 2013 that included \$9.2 million in capital funding. The project approach was changed at the end of 2013, with the knowledge that Defence is enhancing its existing HF communications system with an upgrade that will enable an HF DF capability (Project Nullarbor).

Discussions between the ACMA and Defence to reach a formal agreement about technical, operational and project requirements commenced in January 2014. The ACMA expects to finalise arrangements with Defence for HF DF and monitoring access to the Nullarbor system in the second half of 2014. Under the revised approach, the ACMA is procuring a new HF DF system for its site at Quoin Ridge and will be provided with access to the Defence HF DF systems at four sites across mainland Australia.

HF DF is used to locate HF radio signals nationally or globally. Due to the characteristic of 'over-the-horizon' HF propagation, the HF services used inside Australia can be affected by interfering transmitters located almost anywhere in the world; the majority of HF interference sources are located outside Australia. The existing ACMA HF DF system was built over 20 years ago—it is at the end of its operational life and is compromising the ACMA's ability to continue to provide interference resolution for services that use the HF band. Services include the Defence, aviation and transport sectors, the emergency services community and Australians living or working in regional and remote regions.

The establishment of a new HF DF and monitoring system will give the ACMA a long-term (20 years) capability to resolve harmful interference and to fully discharge its spectrum management functions for the HF band.

### Special events

As part of their risk management processes, organisers of the following special events contracted the ACMA to provide radiocommunications frequency coordination and interference resolution services:

- > Australian Motorcycle Grand Prix, Phillip Island, 18–20 October 2013
- > Australian Formula One Grand Prix, Melbourne, 13–16 March 2014.

The ACMA staff who supported these events were faced with a range of issues involving interference to the radiocommunications services used by the event organisers, international competitors and race teams, and to both local and international television and broadcast services. All technical issues were successfully resolved, with positive feedback received from the organisers of the events.

### Radiocommunications compliance laboratory

The ACMA's radiocommunications compliance laboratory carries out compliance testing of radiocommunications devices. The main purpose of the laboratory is to support industry compliance with regulatory arrangements such as the radiocommunications standards compliance and labelling arrangements. Devices that comply with the standards are able to be labelled and supplied to the Australian market. Spectrum impact assessments are also performed on radiocommunications devices. A total of 125 devices were tested during 2013–14, which resulted in 139 compliance test reports and spectrum impact assessment letters.

The laboratory also assisted with investigations being carried out by the ACMA, and federal and state police services. This included preparing 25 evidentiary certificates and 15 technical assessment reports of radiocommunications devices.

The laboratory is accredited by the National Association of Testing Authorities (NATA) for assessing compliance to compliance level three for the full range of international and ACMA standards.

### Cabling and labelling compliance

The ACMA accepts complaints from industry and the public about telecommunications cabling and compliance by suppliers of devices subject to the labelling arrangements for radiocommunications, telecommunications, human exposure to EME and EMC compliance. The ACMA's complaints-handling strategy seeks to engage cooperatively with both the complainant and the subject of the complaint.

In the reporting period, the ACMA received 21 complaints about cabling. All of these complaints were assessed; however, none of the complaints proceeded to investigation. This was due to the complaints either falling outside the ACMA's legislative power or there being insufficient evidence to proceed.

### Telecommunications consumer compliance

The ACMA's telecommunications consumer compliance activities include undertaking enquiries and investigations into compliance with the:

- > Telecommunications Consumer Protections (TCP) Code 2012 (see *The TCP Code* on page 79).
- > International Mobile Roaming (IMR) Standard—developed by the ACMA in response to a direction from the then Minister for Broadband, Communications and the Digital Economy. The standard came into effect on 27 September 2013 and requires providers to give consumers information about the cost of roaming when overseas and enable them to opt out of roaming services, in order to help minimise the risk and incidence of bill shock. A copy of the standard is available on the ACMA website. (See *Consumer safeguards* on page 116 for more information about compliance with the standard.)

The Customer Service Guarantee (CSG) is another key telecommunications protection that lies outside the TCP Code. For more information about compliance with the requirements of the CSG, see page 117.

Ordinarily, the ACMA does not handle or investigate individual residential or small-business customer complaints. The TIO is the complaints-handling body for telecommunications consumer protection matters. Its complaint statistics for 2013–14 will be released in its annual report.

In 2013–14, the ACMA received six complaints directed to it about non-compliance with the TCP Code (all of which led to enquiries—see page 79) and one complaint about non-compliance with the IMR Standard (which also led to an enquiry).

The ACMA proactively encourages and monitors compliance through:

- > **Education**—the ACMA visits providers to discuss the requirements of the TCP Code and any concerns they may have, particularly when requirements or the provider are new.
- > **Environmental scanning**—the ACMA assesses a provider’s actions and raises any concerns with them.
- > **Enquiries**—the ACMA contacts providers to ask questions about compliance.
- > **Investigations**—the ACMA investigates possible non-compliance under Part 26 of the Telecommunications Act.

## The TCP Code

### The ACMA’s enforcement powers

The ACMA has a range of powers to address breaches of the TCP Code. Where the ACMA finds a breach of the code, it can:

- > agree with the telecommunications provider on steps it will take to remedy the breach or improve compliance
- > issue a formal warning
- > give a direction to comply with the code or code provision under section 121 of the Telecommunications Act.

If a section 121 direction is breached, the ACMA may commence Federal Court proceedings. In addition, under Part 31B of the Telecommunications Act, the ACMA may issue an infringement notice for an alleged contravention of certain civil penalty provisions relating to telecommunications. An infringement notice may be given as an alternative to the ACMA instituting proceedings in a Federal Court.

### Enquiries and investigations about compliance with the TCP Code

During the reporting period, the ACMA continued to focus on improving industry compliance with the TCP Code, with a shifting emphasis from education to investigation and enforcement.

During the reporting period, the ACMA commenced over 140 enquiries into the compliance of suppliers with the TCP Code. It also began several reviews based on areas of concern identified through compliance activities undertaken in 2012–13 and 2013–14.

The compliance activities undertaken in 2013–14 (see Table 26) resulted in the ACMA issuing:

- > Seven directions to comply with the code to:
  - > Lime Telecom Pty Ltd—for failing to provide an adequate critical information summary
  - > Bytecard Pty Ltd, Clear Networks Pty Ltd, iTalk Australia Pty Ltd and Sure Telecom—for failing to comply with requirements to provide compliance statements to Communications Compliance (CommCom), a self-regulatory industry body that aims to improve industry members’ compliance with the TCP Code
  - > Gazal Telecom and Utel Networks Pty Ltd—for failing to comply with sales practice and customer transfer provisions.
- > 105 formal warnings to:
  - > Skink Marketing Pty Ltd trading as Woolworths Prepaid Calling Card and Lime Telecom Pty Ltd—for inadequate critical information summaries
  - > Live Connected Pty Ltd—for failing to comply with billing and credit management provisions
  - > Optus Mobile Pty Ltd—for failing to demonstrate billing accuracy or to identify and address systemic problems as soon as practicable
  - > Lycamobile—for failing to demonstrate billing accuracy
  - > Telstra—for failing to demonstrate billing accuracy
  - > Dodo Services Pty Ltd—for failing to comply with usage notification practices
  - > Telcel—for failing to comply with sales practice and customer transfer provisions



- > Telco Service Holdings Pty Ltd—for failing to keep customer personal information secure
- > 96 providers following referrals from CommCom—for failing to lodge compliance statements.
- > Its first infringement notice for a breach of the TCP Code to Telstra—for failing to comply with a section 121 direction that required Telstra to keep customer personal information protected. Telstra paid a \$10,200 infringement notice penalty.

The ACMA's TCP Code compliance activities have covered a broad range of topics, including critical information summaries, spend management alerts, code compliance statements, complaints-handling, customer transfer, direct debit and related credit management practices. Details of key activities are set out below.

### Compliance attestations review

In the reporting period, the ACMA issued four directions and 95 formal warnings to providers who failed to lodge compliance attestations.

In April 2014, CommCom informed the ACMA that 323 providers had lodged compliance attestations for 2014—a 43 per cent increase on 2013. Drawing on this information and TIO membership records, the ACMA sent preliminary enquiry letters to 93 providers in May 2014, to ascertain why they did not lodge attestations with CommCom. The ACMA will take enforcement action if it concludes that the providers did not comply with the TCP Code.

### Critical information summaries review

Following its March 2013 audit of critical information summaries, the ACMA conducted a follow-up audit of 46 providers in March 2014 to check that they have critical information summaries and these are in the prescribed format. Of the 46 providers assessed, only two per cent failed to have a critical information summary; 90 per cent were immediately compliant.

### Usage alert notifications review

The ACMA also undertook compliance work on spend management tools, such as alert notifications. Under the TCP Code, from 1 September 2013 suppliers must send usage notifications to:

- > Residential customers on post-paid mobile and internet plans (with the potential for excess usage charges) when their data usage reaches 50, 85 and 100 per cent of the amount included in their plan.
- > Residential customers of providers with more than 100,000 included value plan services (Telstra, Optus and Vodafone) when usage of their included value for calls and SMS reaches 50, 85 and 100 per cent.

In December 2013, the ACMA commenced an audit of seven large and medium-sized providers of included value plans to assess their compliance with the usage alert requirements. The ACMA found that most providers had a small incidence of failure to send notifications or the correct information at the 100 per cent notification level. However, all providers aside from one (discussed below) addressed systemic issues and were deemed compliant.

**Table 26: Investigations and enforcement action into compliance with the TCP Code, 2013–14 and 2012–13**

Topic	2013–14			
	Investigations commenced	Formal warnings	Directions	Infringement notices
Advertising and point of sale (includes critical information summaries)	6	2	–	–
Billing	2	4	–	–
Usage alerts	–	1	–	–
Changing suppliers	12	1	2	–
Complaints-handling	3	–	–	–
Code compliance and monitoring (CommCom)	–	95	4	–
Other (including privacy)	2	1	1	1
<b>Total in 2013–14</b>	<b>25</b>	<b>104</b>	<b>7</b>	<b>1</b>
<b>Total in 2012–13</b>	<b>9</b>	<b>7</b>	<b>3</b>	<b>0</b>

The audit found that Dodo Services Pty Ltd (Dodo) did not comply with the required usage notification requirements, as it failed to send alerts to customers about their data use. The failure affected certain Dodo customers with a fixed broadband service during October and November 2013. In May 2014, the ACMA issued Dodo with a formal warning for failing to comply with the usage alert requirements of the TCP Code.

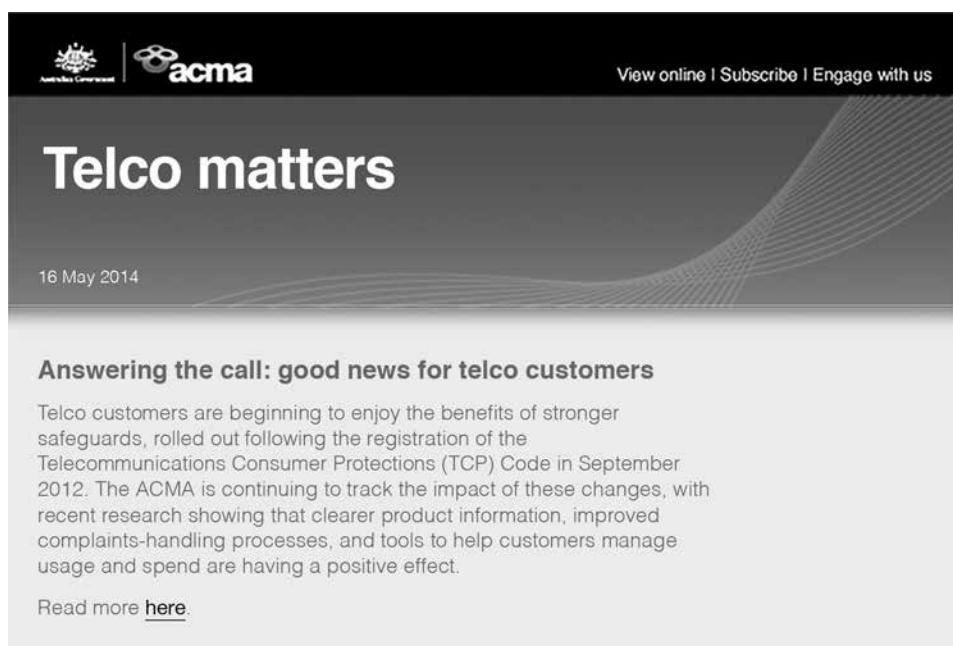
#### **Customer transfer investigations and review**

In the reporting period, the ACMA concluded three investigations looking at compliance with the customer transfer rules of the TCP Code. Gazal Telecom Australia, Utel Networks and Telco failed to comply with the requirements in the TCP Code about promoting customer transfers and obtaining informed consent for the transfers of fixed-line services.

A direction was given to Utel Networks to comply with the entire code, and a direction was also given to Gazal Telecom Australia to comply with chapters 4 and 7 of the code, which relate to sales practices and changing suppliers. Telco changed its transfer application and contract processes to address the issues prior to the release of the ACMA's preliminary investigation findings, and so was only issued a formal warning.

In late 2013, the ACMA commenced a multi-provider review of compliance with the customer transfer provisions of Chapter 7 of the TCP Code, based on concerns identified through the above investigations. The review is examining whether providers are giving accurate and adequate information about transfers, and obtaining informed consent from consumers. At 30 June 2014, the ACMA had reviewed six providers. In each case, the review identified potential deficiencies in the information provided to customers when consent to transfer was obtained.

In three cases, the providers voluntarily made changes to their scripts and procedures to address these deficiencies. The most serious omission of information was a failure to advise a potential customer that leaving his or her existing contract early may lead to penalties or fees. One provider is no longer operating as a CSP. The review has resulted in the ACMA opening two formal investigations examining compliance with the TCP Code. These investigations were ongoing as of 30 June 2014.



The image shows a header for an ACMA e-bulletin titled "Telco matters". The header includes the ACMA logo and the text "View online | Subscribe | Engage with us". The main title "Telco matters" is prominently displayed, with the date "16 May 2014" below it. The main content area features the headline "Answering the call: good news for telco customers" and a paragraph of text. At the bottom of the content area, there is a link to "Read more here".

**Answering the call: good news for telco customers**

Telco customers are beginning to enjoy the benefits of stronger safeguards, rolled out following the registration of the Telecommunications Consumer Protections (TCP) Code in September 2012. The ACMA is continuing to track the impact of these changes, with recent research showing that clearer product information, improved complaints-handling processes, and tools to help customers manage usage and spend are having a positive effect.

Read more [here](#).

*Subscribers to the ACMA's Telco matters e-bulletin receive regular updates on telecommunications industry developments, consumer issues and regulatory arrangements.*

### **Complaints-handling investigations**

In August 2013, the ACMA concluded investigations into Telstra, Optus and Vodafone's compliance with the TCP Code requirement to deliver an agreed resolution to a customer complaint within 10 working days. The *Reconnecting the Customer* inquiry had identified failure to action undertakings when responding to complaints as a major concern for consumers and a key driver of dissatisfaction. This requirement is a key provision of the TCP Code.

The investigations under Part 26 of the Telecommunications Act found that each provider has appropriate policies and procedures in place to comply with the TCP Code provision.

### **Direct debit investigations and review**

The ACMA concluded an investigation into Live Connected under Part 26 of the Telecommunications Act, finding that it had failed to provide customers with at least 10 working days to check their bill before an associated direct debit occurred. The ACMA also found that Live Connected took credit management action on disputed amounts that were the subject of unresolved complaints.

The ACMA issued Live Connected with a formal warning in November 2013.

Based on concerns identified through this investigation, and the level of complaints to the TIO on direct debit and related credit management issues, the ACMA commenced three investigations focusing on clauses 5.7, 6.9 and 8.2.1(a)(v) of the TCP Code. The ACMA is seeking to establish compliance with the TCP Code; in particular, whether providers are:

- > abiding by a customer's direct debit authorisation
- > giving customers paying by direct debit adequate time to check their bill before the direct debit occurs
- > when requested, cancelling a direct debit within three working days and providing a simple mechanism by which their customers can seek a cancellation
- > taking credit management action on a disputed amount.

These investigations are still underway.

### **Telstra international data roaming investigation**

In the reporting period, the ACMA formally warned Telstra for incorrectly billing over 260,000 international data-roaming customers multiple flag fees for single data sessions from 2006 to 2012. The bills reflected incorrect information Telstra received from international carriers and its contracted data-clearing house.

The ACMA commenced an investigation under Part 26 of the Telecommunications Act following an admission by Telstra. The TCP Code requires providers to bill customers accurately, allowing for certain exceptions. Whether Telstra could rely on the exception for inaccuracies caused by using information provided by contractors was a key issue for the investigation.

The investigation found that Telstra could rely on this exception only until early 2009, when it started receiving complaints from consumers who had been incorrectly billed. Billing inaccuracies after complaints were received were caused by Telstra's failure to investigate and identify problems with the information provided by its contractor, in contravention of the TCP Code.

Telstra proactively implemented a comprehensive program that mitigated the harm for affected customers.

### **Telstra privacy investigation**

The ACMA commenced an investigation under Part 26 of the Telecommunications Act following an admission from Telstra about personal customer information. Between February 2012 and May 2013, the names, phone numbers and addresses of 15,775 Telstra customers from 2009 and earlier were accessible on the internet. This included the information of 1,257 active silent-line customers.

The investigation found that Telstra contravened clause 4.6.3 of the TCP Code, which requires telecommunications providers to ensure that personal information of customers is protected from unauthorised use or disclosure, and to have robust procedures in place to achieve this. The ACMA also found that Telstra had contravened a direction given to it in September 2012 requiring it to comply with clause 4.6.3 of the TCP Code.

Telstra paid an infringement notice of \$10,200 for contravening the ACMA's direction.

### **Optus Mobile Pty Limited billing investigation**

The ACMA formally warned Optus Mobile Pty Limited (Optus) for inaccurately billing approximately 237,500 customers from November 2008 to September 2012. The ACMA started an investigation under Part 26 of the Telecommunications Act following an admission by Optus that an IT upgrade had resulted in a significant amount of customers being overcharged a total amount of approximately \$8.9 million.

The ACMA found that Optus had contravened the TCP Code by failing to demonstrate and verify billing accuracy, and failing to identify and address systemic problems as soon as practicable. Optus admitted the contravention, and engaged an independent auditor to ensure it had rectified the issue and had adequately identified and reimbursed all affected customers.

### **Mobile premium services**

Since the update to the Mobile Premium Services (MPS) Code in 2011, the number of MPS-related complaints to the TIO has fallen to a sustained low level of about one per cent of new complaint issues reported.

In 2013–14, the ACMA reviewed the MPS regulatory framework in light of continued industry compliance, sustained low levels of complaints and significant decline in the MPS market. As a result, the ACMA is working with industry to reduce outdated consumer information obligations and remove unnecessary compliance reporting. These measures have been taken to reduce the regulatory burden associated with MPS to what is warranted in the current environment.

### **Unsolicited communications compliance**

#### **Telemarketing and fax marketing**

The ACMA regulates unsolicited telemarketing and fax marketing activities under the *Do Not Call Register Act 2006* (DNCR Act), the Telemarketing and Research Industry Standard 2007 (the Industry Standard) and the Fax Marketing Industry Standard 2011.

#### **Complaints and enquiries**

In 2013–14, consumers made 20,462 complaints to the ACMA under Part 26 of the Telecommunications Act about unsolicited telemarketing and marketing faxes (see Table 27). Virtually all complaints received were about telemarketing, with only one per cent of complaints about unwanted fax marketing. Compared to the previous year, there was an 85 per cent increase in complaints raising potential breaches of the Industry Standard. The standard applies to all telemarketing, irrespective of whether numbers called are on the Do Not Call Register. The ACMA also received 11,335 enquiries from both consumers and businesses about the Do Not Call rules.

#### **Advisory letters and informal warnings**

The ACMA adopts a graduated approach to compliance with the Do Not Call rules. In the first instance, where it identifies the source of the telemarketing calls or marketing faxes that are the subject of complaints, it issues advisory letters to give parties involved information about their obligations under the Do Not Call rules.

During 2013–14, the ACMA sent 951 advisory letters to people and businesses identified as potentially in breach of the requirements of the DNCR Act and industry standards.

Where the ACMA receives five or more complaints within any 180-day period about the same person or business, it issues an informal warning. During 2013–14, the ACMA sent 116 such letters to people and businesses that were the subject of complaints.

The ACMA *Corporate plan 2013–16* sets out new key performance indicators for unsolicited communications compliance activities. These KPIs are:

- > the number of complaints and reports about unsolicited communications received from businesses after they have been sent informal warnings is low
- > the number of complaints about unsolicited communications within targeted priority areas reduces.

In 2013–14, 92 per cent of businesses contacted by the ACMA required only a single advisory or warning letter to address compliance issues.

During the reporting year, the ACMA saw an increase in the number of complaints received about the PC Virus scam and the introduction of a variant scam relying on Telstra’s brand to deceive the public. The ACMA previously targeted these calls in 2012 due to the high number of consumers on the Do Not Call Register complaining about receiving them. At that time, the ACMA partnered successfully with other overseas regulators, and joint action saw complaints about these calls fall from 50 per cent of all Do Not Call-related complaints received by the ACMA to about 15 per cent.

In early 2014, when it noticed reports about these calls from consumers increasing, the ACMA once again targeted this scam by communicating with Telstra and quickly publishing consumer warnings to alert the public to the new variation. This action first stemmed the rise and then decreased the number of complaints received about these calls to under 14 per cent by the end of the financial year.

#### Investigations and enforcement

During 2013–14, the ACMA finalised six telemarketing-related investigations under Part 26 of the Telecommunications Act. As a result of these investigations:

- > the ACMA issued two formal warnings for contraventions of the DNCR Act to Telco Blue Pty Ltd and Telco Service Holdings Pty Ltd
- > the ACMA accepted two enforceable undertakings from Teleus Pty Ltd and Flexi Marketing Solutions Pty Ltd
- > one infringement notice was paid by Zone Telecom Pty Ltd.

#### Spam and e-marketing

The ACMA administers the *Spam Act 2003*, which sets out the rules for sending commercial electronic messages.

#### Complaints, reports and enquiries

In 2013–14, the ACMA received a total of 349,319 complaints, reports and enquiries directly from members of the public about spam (see Table 28). Of these, 338,817 were about email spam, while 9,162 were about SMS or MMS.

**Table 27: Summary of telemarketing and fax marketing compliance and enforcement activities, 2012–13 and 2013–14**

Activity	2012–13	2013–14
<b>Consumer complaints</b>	<b>19,677</b>	<b>20,462</b>
Telemarketing	19,335	20,232
Fax marketing	342	230
<b>Enquiries</b>	<b>10,927</b>	<b>11,335</b>
<b>Business compliance</b>	<b>1,057</b>	<b>1,067</b>
Advisory letters	918	951
Informal warnings	139	116
<b>Investigations</b>	<b>11</b>	<b>6</b>
Formal warnings	3	2
Enforceable undertakings	2	2
Infringement notices	3	1

In addition to complaints, reports and enquiries received directly from members of the public, the ACMA also received nearly 37 million other reports of spam in 2013–14 via indirect reports. The ACMA uses sophisticated software tools to analyse this volume of spam messages in order to identify spam that is likely having the most impact on Australians, and to identify trends and the incidence of malware within spam messages. This intelligence helps the ACMA to prioritise and target its interventions.

### Informal warnings

The ACMA adopts a graduated approach to Spam Act compliance. In the first instance, where the ACMA identifies the source of spam that is the subject of a complaint or report, it issues informal warnings to give the parties involved information about their obligations under the Spam Act.

In 2013–14, 5,002 informal warning letters were issued.

Spam has the same key performance indicators as telemarketing and fax marketing (see page 84). Of the businesses contacted by informal warning letter for the first time in 2013–14, 86 per cent did not attract further complaints after they were sent the first informal warning.<sup>6</sup>

### Investigations and enforcement

During 2013–14, the ACMA completed 10 investigations under Part 26 of the Telecommunications Act into potential contraventions of the Spam Act. As a result of these investigations:

- > the ACMA accepted one enforceable undertaking from Alex Emad Shehata trading as Australian Advertising and Media Network

- > three infringement notices were paid by Minardi Pty Ltd trading as Colonial Hotel, Grays (NSW) Pty Limited and Rates Direct Pty Ltd
- > the ACMA issued five formal warnings to DND Media Pty Ltd, Wailea Australia Pty Ltd trading as ACRIS Services, Teleloans Pty Ltd, Penta Group Pty Ltd and IGEA Life Sciences Pty Limited.

### Unsolicited communications compliance strategies and initiatives

#### Education initiatives

To help businesses meet their unsolicited communications obligations and the public deal with unsolicited marketing, the ACMA engages in targeted educational activities. This includes:

- > **Industry blogs**—the ACMA produces two blogs aimed directly at businesses that engage in telemarketing, fax marketing and e-marketing. They promote and encourage businesses to comply with the rules:
  - > *Successful e-marketing ... it's about reputation*
  - > *Better telemarketing ... take the right line.*
- > **Social media**—as well as using traditional channels, the ACMA increasingly engages with members of the public on telemarketing and spam-related issues via Facebook and Twitter. These channels also enable the ACMA to quickly issue alerts and warnings about apparent phone, email and SMS scams in circulation.

Table 28: Summary of spam compliance and enforcement activities, 2012–13 and 2013–14

Activity	2012–13	2013–14
<b>Consumer complaints and reports</b>	<b>410,999</b>	<b>347,979</b>
Email spam	396,892	338,817
SMS spam	14,107	9,162
<b>Enquiries</b>	<b>1,726</b>	<b>1,340</b>
<b>Business compliance—informal warnings</b>	<b>7,105</b>	<b>5,002</b>
<b>Investigations</b>	<b>10</b>	<b>10</b>
Formal warnings	3	5
Enforceable undertakings	2	1
Infringement notices	3	3

6 This figure refers to the period from October 2013 to June 2014.

### Stakeholder engagement

During 2013–14, ACMA staff spoke at business forums on e-marketing best practice, methods of achieving compliance and matters related to spam more broadly.

### International cooperation

Recognising that it is a global issue, the ACMA strives to be an international leader and influential in combating unsolicited communications. The aim of cooperating internationally is to reduce the impact on Australians of unsolicited communications originating elsewhere. This mission is divided into five key interdependent objectives, which relate to:

- > information and intelligence-sharing
- > learning and development
- > achieving global outcomes
- > developing and maintaining strategic relationships
- > participation.

To this end, in 2013–14, the ACMA actively participated in the following international efforts to counter unsolicited telemarketing calls and spam:

- > **London Action Plan**—the LAP is a prominent international forum that fosters spam enforcement cooperation between its members. The LAP has 45 government members, 28 industry participants and five observers.
- > **International Do Not Call Network**—the Network (a part of the London Action Plan) focuses on unsolicited telemarketing calls and administering Do Not Call schemes in members' respective jurisdictions.

### De-registration of e-marketing code

In June 2014, the ACMA de-registered the Australian eMarketing Code of Practice March 2005 following a public consultation process.

The ACMA considered that the code had no ongoing utility, as its relevance to contemporary e-marketing activities had substantially diminished since its introduction in March 2005. Technological advancements, changed business practices and the code's limited application—to only a small segment of those businesses engaging in e-marketing today—are some of the factors that contributed to the ACMA's assessment. Existing protections in the Spam Act continue to provide appropriate community safeguards against spam.

## Case study

# Anti-spam regulation in Australia—10 years on

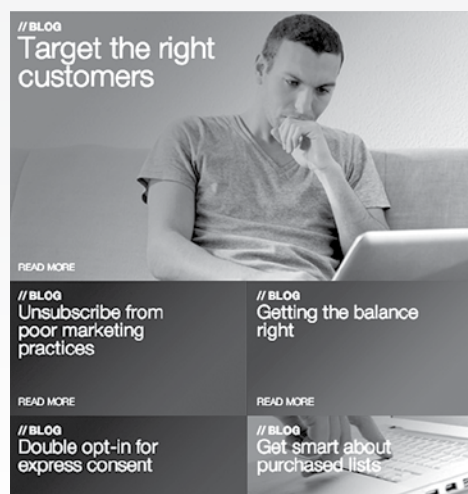
In the 10 years since the inception of the Spam Act, the ACMA has become a world leader in the fight against spam. The Explanatory Memorandum to the introduction of the Act in December 2003 described the spam problem of the time as of ‘plague proportions and growing exponentially ... causing immense frustration and reduced productivity for users, businesses and government agencies ... threatening the viability of the internet as a reliable communications medium’. During the 10 years the Act has been in operation, the ACMA has seen a clear progression in the Australian public’s ability to manage the spam that appears in their inboxes. Australia has dropped from the 10th most prolific spam-relaying country in the world in 2004 to the 44th in 2013.

A key element of the ACMA’s fight against spam has been to adopt a multi-layered strategy which recognised from the start that the legislation would only be part of the solution. In addition to strongly enforcing the anti-spam rules, the ACMA has also focused on undertaking consumer and business education and awareness activities, building industry and global partnerships, and developing technological initiatives and solutions.

The ACMA has developed an effective graduated business compliance program that addresses potential non-compliance through education and informal warnings in the first instance. In 2014, only 12 per cent of businesses required more than one contact from the ACMA to correct suspected compliance issues following a report or complaint from a member of the public. For businesses not so quick to act, cases may be escalated for more formal action—over the years, the ACMA has investigated some of Australia’s biggest household names about breaches of the Act and imposed over \$1 million in financial penalties.

In seeking to gather and analyse spam, the ACMA has developed advanced—and globally recognised—technological solutions, with its Spam Intelligence Database and Australian Internet Security Initiative (see pages 103–4) now used by hundreds of organisations to protect consumers and businesses from spam, malware, phishing and other threats to internet security. Recognising spam as a cross-jurisdictional problem, the ACMA has also helped establish, and been an active contributor to, international forums such as the London Action Plan.

Spam has been a moving target for the ACMA over the last decade. It is a global problem, with the number of businesses using online channels continually growing, and spammers leveraging technological and social change to proliferate their messages. Even still, the Spam Act has proven to be robust legislation and remains Australia’s centrepiece in the fight against spam.



*The ACMA website has a dedicated anti-spam section with advice and tips on complying with the Spam Act.*



## Broadcasting compliance—complaints and investigations

The ACMA conducts investigations into matters related to broadcasting codes of practice and compliance with obligations in the BSA, including licence conditions and program standards.

Most investigations are undertaken in response to complaints. The ACMA can investigate complaints made directly to it if they are about a licensee's compliance with a licence condition or a program standard. The ACMA can also initiate investigations and conduct investigations at the direction of the minister.

### Broadcasting codes of practice

The ACMA's co-regulatory role in dealing with complaints under industry codes is prescribed by the BSA.

Section 123 of the BSA allows commercial, subscription, narrowcast and community sections of the broadcasting industry to develop codes of practice and submit those codes to the ACMA for registration. The ACMA must register a code if it is satisfied that:

- > the code provides appropriate community safeguards for the matters that it covers
- > the code was endorsed by a majority of providers of broadcasting services in that section of the industry
- > members of the public have been given an adequate opportunity to comment.

National broadcasters notify their codes to the ACMA.

Copies of the codes currently registered or notified to the ACMA are available on the ACMA website.

### Licence conditions

The BSA includes a number of licence conditions made by the Australian Parliament, including for captioning, tobacco advertising, political and election matter, material classified 'Refused Classification', local content and local presence. The ACMA also has the power to impose additional licence conditions on individual licensees.

### Standards

The ACMA may determine program standards where codes of practice fail or where no code is developed by industry. Compliance with program standards is a licence condition on relevant licensees.

Issues of particular concern to Australians are generally covered by program standards. There are currently program standards covering:

- > Australian content on commercial television
- > commercial influence on commercial radio current affairs programs
- > children's programming on commercial television
- > anti-terrorism requirements for narrowcast services.

### The ACMA's enforcement powers under the BSA

The ACMA has a range of powers with which to address breaches of the BSA, licence conditions, program standards or industry codes.

Where there has been a breach of a code, the ACMA may accept an enforceable undertaking for the purpose of securing future compliance with the code, or it may impose an additional licence condition under section 43 of the BSA requiring a licensee to comply with the code.

In the event of a breach of a licence condition, including an additional licence condition imposed by the ACMA under the BSA, the ACMA has the power to give the licensee a remedial direction requiring compliance, or to suspend or cancel the licence. In the case of licence conditions imposed by the parliament, breaches can result in civil or criminal proceedings.

The ACMA may also informally agree to accept measures by broadcasters to improve compliance following breaches of codes of practice. For example, the ACMA has, on many occasions, agreed on measures with licensees involving action to address compliance problems.

### Investigations conducted by the ACMA in 2013–14

The numbers of complaints and investigations about radio and television licensees' compliance with codes of practice, licence conditions and standards related to the BSA are provided in Table 29. Investigations that attracted public comment are discussed below. Details of breach and non-breach findings by state and territory and category of broadcasting service are in Appendix 6.

**Investigation 2934—TCN Channel Nine Pty Ltd (TCN) (A *Current Affair*, broadcast 7 November 2012)**

TCN Channel Nine's *A Current Affair* breached three clauses of the Commercial Television Industry Code of Practice in a story entitled 'All-Asian Mall', which dealt with a plan for changes at a Sydney suburban shopping centre.

The ACMA investigation found that the broadcast:

- > contained inaccurate factual material (clause 4.3.1)
- > placed a gratuitous emphasis on ethnic origin (clause 4.3.10)
- > was likely to provoke intense dislike and serious contempt on the grounds of ethnic origin (clause 1.9.6).

In response to the breach finding and the ACMA's recommendation, TCN agreed to make an on-air statement and also removed the segment from Channel Nine's website.

**Investigations 2947, 2952, 2953, 2954, 2960 and 2962—Harbour Radio Pty Limited (2GB) (*Alan Jones Breakfast Show*, broadcast on 17, 23 and 29 October 2012)**

Harbour Radio Pty Limited, the licensee of Sydney radio station 2GB, breached the accuracy obligations in the Commercial Radio Australia Codes of Practice 2011 in two broadcasts of the *Alan Jones Breakfast Show*.

Code 2.2(a) requires licensees, in the preparation and presentation of current affairs programs, to use reasonable efforts to ensure that factual material is reasonably supportable as being accurate.

The ACMA found 2GB did not make reasonable efforts to ensure the accuracy of:

- > Comments made by Mr Jones on 17 October 2012 about power station closures (Investigation 2962). Here, the sources relied on by 2GB were contradicted by primary material readily available on the website of the owner of the power stations.
- > Comments made by Mr Jones on 23 October 2012 about salaries paid in the Department of Climate Change (investigations 2952, 2953 and 2954). Here, there was no evidence of 2GB's efforts to ensure the accuracy of the comments.

A third complaint about the accuracy of comments made by Mr Jones on 29 October 2012 concerning the NBN and other matters was not upheld (investigations 2947 and 2960). The ACMA found the comments broadcast were statements of opinion. The 'accuracy' obligation in the codes applies only to factual material.

The ACMA also found two breaches by 2GB of its complaints-handling obligations.

In investigations 2952, 2953 and 2954, 2GB submitted that it was not obliged to respond to a complaint it considered frivolous, vexatious or an abuse of the complaints process. The ACMA did not accept this submission, as the codes require licensees to provide a substantive response to a complaint, including information about the complainant's right to refer the matter to the ACMA.

**Table 29: Summary of broadcasting complaints and investigations for commercial, national, subscription and community broadcasters and datacasters, 2013–14**

Written complaints and enquiries received	1,593
Written complaints and enquiries actioned within time frame of seven days	1,571 (98.6%)
Investigations completed	180*
Investigations resulting in breach findings <sup>^</sup>	45
Investigations of compliance with codes of practice	21
Investigations of compliance with BSA, licence conditions or standards	24
Investigations resulting in non-breach findings	132
Investigations of compliance with codes of practice	112
Investigations of compliance with BSA, licence conditions or standards	20
Investigations completed within time frame of six months	157 (87%)

<sup>\*</sup>Includes two investigations that resulted in no findings and a third investigation that was concluded.

<sup>^</sup>Investigations involving compliance with codes of practice may also involve licence conditions or standards. For the purposes of the annual report, these investigations have only been counted once. For further details, see Appendix 6.

In investigations 2947 and 2960, 2GB submitted that it did not receive the complaint. However, the complainant provided the ACMA with a fax transmission report showing that the complaint had been successfully sent to 2GB.

In these two matters, the ACMA found that 2GB was obliged to give a substantive response and breached the code when it failed to do so.

#### **Investigation 3119—ABC (*The Hamster Decides*, broadcast on 11 September 2013)**

The ACMA found that an ABC television broadcast of *The Hamster Decides*, which contained a manipulated image of a journalist, Mr Chris Kenny, breached Standard 7.1 of the ABC Code of Practice 2011.

Standard 7.1 requires that content that is likely to cause harm or offence must be justified by its editorial context.

The ACMA found that the broadcast breached the standards because:

- > it was intrinsically likely to have caused a high level of offence
- > there were some factors that mitigated that offence but, notwithstanding that mitigation, it was still likely to offend
- > while its editorial context was framed by the satirical nature of the program and other related considerations, its broadcast was nonetheless not justified by the editorial context.

In reaching its breach finding, the ACMA considered a number of circumstances, including the:

- > comedic and satirical context of the skit
- > extreme and disproportionate construct of the joke
- > nature of the program's target audience
- > likely level of offence created by the skit's strong image and coarse language
- > identification of Mr Kenny in a way likely to leave a lasting impression.

The ACMA also found that the broadcast did not breach standards 7.2 and 7.3 of the ABC Code, which require appropriate classification and adequate classification labels, warnings and consumer advice.

## **Judicial reviews of ACMA broadcasting investigations**

### **Investigation 2472—Channel Seven Adelaide Pty Ltd (*Channel Seven News*, broadcast on 18 July 2010)**

In March 2012, the ACMA finalised Investigation 2472. The investigation found that a news segment broadcast by Channel Seven Adelaide Pty Ltd (SAS7) constituted a tobacco advertisement in contravention of section 13 of the *Tobacco Advertising Prohibition Act 1992* (TAP Act).

The licensee sought judicial review of the ACMA's decision on several grounds. On 14 August 2013, the Court upheld the ACMA finding that SAS7 had breached a licence condition by broadcasting a news segment on 18 July 2010 called 'Cheap Cigarette Imports'.

On 4 September 2013, SAS7 lodged an appeal to the Full Federal Court against this decision. On 21 March 2014, the Full Court found that, in addition to deliberately broadcasting material that had the result of giving publicity to or promoting smoking, tobacco products, trademarks, the name of a person who manufactures tobacco products or designs associated with a tobacco product, it must be established that the broadcaster *intended* to promote or give publicity to these matters.

### **Investigation 2712—Channel Seven Adelaide Pty Ltd (*Today Tonight*, broadcast on 25 July 2011)**

In July 2012, the ACMA finalised Investigation 2712, which found that a *Today Tonight* segment breached two clauses of the Commercial Television Industry Code of Practice. The segment was a report about a beauty clinic that conducted Intense Pulsed Light laser treatment on a patient that allegedly resulted in permanent skin damage.

The ACMA investigation found that the broadcast breached clause 4.3.1 (factual accuracy) and clause 4.3.11 (efforts to correct significant errors) of the code.

On 7 September 2012, the licensee commenced Federal Court proceedings seeking judicial review of the ACMA's finding on accuracy. The hearing was held on 27 and 28 February 2013. On 26 June 2014, the Court dismissed the application, and held that it was open to the ACMA to make the findings of breach that it had made and that the finding was not affected by legal error as alleged by the licensee.

**Investigation 2741—Channel Seven  
Brisbane Pty Ltd (*Sunday Night*,  
broadcast on 4 September 2011)**

In August 2012, the ACMA finalised Investigation 2741 about a *Sunday Night* report on the Suruwaha tribe in the Amazon Jungle in Brazil. The ACMA's investigation found that the broadcast breached clause 4.3.1 (factual accuracy) and clause 1.9.6 (provoke or perpetuate intense dislike and serious contempt).

On 7 September 2012, the licensee commenced Federal Court proceedings seeking judicial review of the ACMA's finding. The hearing was held on 27 and 28 February 2013. On 26 June 2014, the Court dismissed the application, and held that it was open to the ACMA to make the findings of breach that it had made and that the findings were not affected by legal error as alleged by the licensee. As at the end of the reporting period, the appeal period for the Court's decision had not yet expired.

**Investigation 2803—Channel Seven  
Perth Pty Ltd (*Sunday Night*, broadcast  
on 4 March 2012)**

In December 2012, the ACMA finalised Investigation 2803 about a *Sunday Night* report on the sinking of a mobile platform used for oil extraction purposes in the Gulf of Mexico during a hurricane in September 2011. The segment also focused on the actions of an Australian ship in the area at the time, which the program alleged had failed to come to the rescue of the crew of the mobile platform. The ACMA's investigation found that the broadcast breached clause 4.3.1 of the Commercial Television Industry Code of Practice in relation to factual accuracy and the requirement to represent viewpoints fairly.

On 21 February 2013, Channel Seven Perth Pty Ltd commenced Federal Court proceedings seeking judicial review of the ACMA's findings. The hearing was held on 18 October 2013. On 26 June 2014, the Court dismissed the application, and held that it was open to the ACMA to make the findings of breach that it had made and that the findings were not affected by legal error as alleged by the licensee.

**Investigation 2928—Today FM  
Sydney Pty Ltd (*Summer 30*,  
broadcast on 4 December 2012)**

On 13 December 2012, the ACMA commenced an investigation into the broadcast by 2DayFM of a prank call to King Edward VII's Hospital in London.

The focus of the ACMA's investigation was on the compliance of the licensee, Today FM Sydney Pty Ltd, with its licence conditions and the Commercial Radio Australia Codes of Practice 2011. This included the licence condition at clause 8(1)(g) of Schedule 2 to the BSA (that the licensee will not use the broadcasting service in the commission of an offence—in this case, offences under the *Surveillance Devices Act 2007* (NSW) and the *Telecommunications (Interception and Access) Act 1979* (TIA Act) were identified as relevant).

On 18 June 2013, in response to the ACMA's preliminary findings on the issue of the alleged breach of a licence condition, the licensee applied to the Federal Court for orders restraining the ACMA from continuing the investigation and making a finding that Today FM breached that condition.

Judgement was delivered on 7 November 2013. The Court found that the ACMA was empowered to make a finding that Today FM breached the condition of its licence that prohibits it from using its broadcasting service in the commission of an offence, irrespective of whether a criminal court makes a finding that an offence has been committed.

Today FM appealed the decision. On 14 March 2014, the Full Federal Court found that, as a matter of statutory construction, the ACMA cannot find a breach of the relevant licence condition in the absence of an antecedent (criminal) court finding.

On 11 April 2014, the ACMA filed an application for special leave to appeal to the High Court of Australia.

### Community broadcasting enquiries

During the reporting period, the ACMA received 1,026 enquiries about community broadcasting matters including:

- > setting up a temporary or long-term community radio broadcasting service
- > changing the technical specifications for the delivery of a community broadcasting service
- > digital transmission of community radio or television services
- > making a complaint about a community broadcasting service.

Of these enquiries, 98.7 per cent (1,013) were actioned within a time frame of seven days.

### Control

The ACMA's broader role in media ownership and control rules is discussed under *Ownership and control* on page 38. There were no formal investigations into compliance with the ownership and control limits in the BSA in 2013–14.

### Category-of-service opinions

Section 21 of the BSA allows a person who is providing, or who proposes to provide, a broadcasting service to apply to the ACMA for an opinion as to which category of broadcasting service the service falls into. The ACMA did not give any category-of-service opinions during the reporting period.

### Children's Television Standards

In 2013–14, the ACMA conducted four investigations into licensees' compliance with the Children's Television Standards 2009 (the CTS). The investigations were initiated by the ACMA under section 170 of the BSA and related to compliance for the 2013 and 2014 calendar years.

In February 2014, the ACMA opened an investigation into the three Nine Network licensees following assessment on programming reports submitted to the ACMA in 2013. The ACMA found each licensee had broadcast a total of 14 episodes of two programs—*Kitchen Whiz* (series two, four episodes) and *The Day My Butt Went Psycho* (10 episodes)—without the required 'C' classification. As a consequence of the breaches, the licensees failed to provide sufficient C material to satisfy quota requirements in the 2013 compliance period. The ACMA found the licensees breached CTS 8(2)(a) (by providing 258.5 hours of the 260-hour quota) and provided 124 hours of first-release C material, breaching a provision of the Australian Content Standard, ACS 14(1).

Also in February 2014, the ACMA opened an investigation into Channel Seven Adelaide following its notification of a disruption to children's programming on 17 January 2014. The licensee was found to have breached two provisions of the CTS (not providing at least 30 minutes of P material in the P band on 17 January 2014, and broadcasting a G-classified program during a P period). As remedial action, the licensee notified and broadcast additional preschool programming on 28 February 2014.

### Australian Content Standard

As noted above, during 2013–14 the ACMA conducted investigations into four licensees' compliance with the CTS. Three of these investigations also related to compliance with the Australian Content Standard (ACS). The ACMA found TCN Channel Nine (TCN), General Television Corporation (GTV) and Queensland Television (QTQ) breached ACS 14(1) by failing to provide sufficient first-release C programs during the compliance period (124 hours of a 130-hour requirement). Appropriate remedial action for these licensees will be finalised in the next reporting period.

### Anti-siphoning provisions

In the reporting period, the ACMA completed one investigation into the telecast of anti-siphoning events on commercial television. Investigation 3223 found that a Nine Network licensee, Swan Television & Radio Broadcasters Pty Ltd, breached paragraph 7(1)(b) of Schedule 2 to the BSA by broadcasting Game 1 of the 2014 National Rugby League State of Origin Series on Channel GEM (a HD multi-channel) on 28 May 2014.

The ACMA also dealt with 17 complaints or enquiries about the availability of sports programs on free-to-air television. The majority of the complaints were about events not being broadcast live, in-full or at all (such complaints are not currently within the ACMA's jurisdiction).

### Other matters

The ACMA continued to fulfil its regulatory functions during the reporting period in monitoring compliance with the:

- > Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2012
- > Broadcasting Services (Anti-terrorism Requirements for Open Narrowcasting Television Services) Standard 2011
- > Broadcasting Services (Anti-terrorism Requirements for Subscription Television Narrowcasting Services) Standard 2011
- > datacasting provisions of Schedule 6 to the BSA.

## Case study

# New codes to limit betting odds and gambling ads during live sports broadcasts

On 30 July 2013, the ACMA registered broadcasting industry codes of practice to limit betting odds promotions and gambling advertising during live sports broadcasts.

The registration of the codes followed ACMA-commissioned research into community attitudes about gambling advertising in live sports broadcasts, which supported restricting these practices. The ACMA also worked with broadcasters to enhance and harmonise the codes so they provide appropriate community safeguards.

During live sports broadcasts on commercial radio, commercial television, subscription broadcast television and subscription radio, the codes:

- > prohibit the promotion of betting odds from the start until the end of play (there are limited exemptions, including for the broadcast of multi-day sports and overseas live sport)
- > prohibit commentators from promoting betting odds during play, and for 30 minutes before and 30 minutes after the game
- > restrict generic gambling advertisements to before and after play, scheduled breaks in play and when play is suspended
- > require gambling representatives to be clearly identified at all times
- > prohibit gambling advertising that involves a gambling representative at or around, or appearing to be at or around, the ground at any time
- > prohibit gambling representatives appearing as part, or as a guest, of the commentary team at any time.



The codes provide a variety of exemptions for:

- > live broadcasts of horse, harness or greyhound racing
- > accidental and incidental references to gambling; for example, in-ground signage or players' uniforms
- > advertisements or promotions for government lotteries, lotto, keno or contests
- > advertisements or promotions about entertainment or dining facilities where betting or gambling takes place (so long as the content does not draw attention to the gambling or betting)
- > sporting events of extended duration; for example, tennis and golf tournaments, test cricket and multi-sport events (limited exemption)
- > gambling advertisements or promotions in a live sporting broadcast originating outside Australia where:
  - > the licensee has not inserted the advertisement or promotion
  - > the licensee receives no consideration for the advertisement or consideration
  - > it is not practicable for the licensee to remove the advertisement or promotion.

The codes do not apply to subscription broadcast television and subscription narrowcast television services that are delivered on a pay-per-view basis, an active choice by the viewer associated with a live sporting event (for example, an alternative commentary) or provided exclusively to commercial premises licensed to serve alcohol and not available for private or domestic use.



### Complaints under the conditional access scheme for satellite access to digital television

Viewers who were refused access to VAST services by the scheme administrator can, under certain conditions, complain to the ACMA. The ACMA has the power to direct the scheme administrator to enable VAST access for viewers who cannot access terrestrial digital television services.

The ACMA received 22 complaints between 1 July 2013 and 30 June 2014. In 2013–14, the ACMA finalised the investigation of 35 complaints and issued 35 directions to the scheme administrator to grant VAST access to the complainants. One complaint was withdrawn as the affected viewer gained access to either VAST or terrestrial television services before the investigation was finalised. At the end of the reporting period, no complaints were still under investigation.

See also *Restack coverage assessment project* on page 43.

### Online content complaints

The Online Content Scheme (branded as the ACMA Hotline for reporting offensive and illegal online content) is a mechanism for Australian residents and law enforcement to complain about a range of online content, and for the ACMA to take certain action where it finds prohibited or potential prohibited material. The ACMA Hotline is a longstanding member of the International Association of Internet Hotlines (INHOPE), whose member hotlines deal with complaints about illegal internet content, including child abuse material.

The ACMA Hotline:

- > investigates all valid complaints about potentially offensive or illegal online content
- > directs take-down of prohibited content if it is hosted in Australia
- > notifies prohibited URLs to optional end user (PC-based) filters
- > notifies all potentially illegal content to law enforcement
- > notifies all overseas-hosted child sexual abuse material to the Australian Federal Police (AFP) or INHOPE for rapid police action and take-down in the host country.

The ACMA Hotline received 4,051 complaints in the period 1 July 2013 to 30 June 2014, a 13 per cent decrease on 2012–13. Of the complaints received during the year, 50 were invalid as they did not contain information required under the BSA to enable the ACMA to conduct an investigation.

While complaint levels generally fell across the year, complaints alleging online child sexual abuse material rose significantly for the period—a 29 per cent increase on 2012–13. This rise appears to have occurred through an increased awareness of the ACMA's regulatory role and a number of revised or new partnerships with law enforcement agencies in Australia.

A single complaint may lead to the investigation of multiple items, depending on the nature of the complaint and the content involved, with an 'item' referring to an individual article of content such as a web page, image or file. The ACMA finalised investigations into 11,164 individual items of content. Of these, 8,981 items of prohibited and potential prohibited content were identified (see Table 30). Of these prohibited items, 99.9 per cent were hosted overseas, with one item hosted in Australia.

During the reporting year, the number of child sexual abuse material items investigated rose to 7,663—a 551 per cent increase on 2012–13. This significant increase in investigations followed the rise in complaints alleging child sexual abuse from members of the public and law enforcement (81 per cent of all complaints received alleged child sexual abuse material) and the implementation of a new online complaints management system.

Over 99 per cent of investigations into child sexual abuse material items were completed within two business days. All child sexual abuse items were notified to the AFP and/or the INHOPE network for law enforcement investigation and rapid take-down in the host country.

During 2013, 95 per cent of all investigations about online content were completed within 20 business days.

A total of 578 investigations were terminated because the ACMA was unable to obtain sufficient information on which to base a decision, usually because the content identified in the complaint could not be located. The ACMA also referred 30 items of content to the Classification Board for formal classification under the National Classification Scheme.

A total of 8,980 overseas-hosted prohibited or potential prohibited items of internet content investigated were referred to the makers of optional end user internet software filters under Schedule 5 of the BSA and the registered internet codes of practice for dealing with such material.

A final 'take-down' notice was issued for one item of Australian-hosted prohibited content. No service-cessation notices were issued for live content services provided from Australia and no link-deletion notices were issued to link service providers with an 'Australian connection'. The Australian hosting service provider complied with the direction to take down prohibited content. There has been 100 per cent compliance with such take-down notices across the life of the Online Content Scheme.

Under the BSA, prohibited content is defined with reference to the classification categories set out in the National Classification Scheme. Approximately 88 per cent of items that were prohibited or potential prohibited were, or were likely to be, Refused Classification. Of Refused Classification items, or items likely to be Refused Classification, 97 per cent constituted an exploitative or offensive depiction or description of a child.

**Table 30: Prohibited/potential prohibited internet content 2013–14, items actioned**

Actual or likely classification and description of online content	Online content hosted in or provided from Australia (take-down, service-cessation or link-deletion notice issued, or removed after referral to police)	Internet content items hosted overseas (referred to makers of filters)	Total
MA 15+ (Strong-impact content)	0	0	0
R 18+ (High-impact content)	0	157	157
X 18+ (Explicit sexual content)	0	906	906
RC 1(a) (Refused Classification content for a range of matters, including offending against standards of morality and decency and revolting and abhorrent phenomena)	0	248	248
RC 1(b) (Refused Classification content for offensive depictions/descriptions of children)	0	7,663	7,663
RC 1(c) (Refused Classification content for instruction, incitement or promotion of crime or violence)	1	6	7
RC 1(d) (Computer games that are unsuitable for a minor to see or play)	0	0	0
RC 9A (Refused Classification content for advocating terrorist acts)	0	0	0
Restricted Cat 1—Publication (Explicit nudity and high-end content)	0	0	0
Restricted Cat 2—Publication (Explicit sex, fetishes and high-end content)	0	0	0
<b>Total</b>	<b>1</b>	<b>8,980</b>	<b>8,981</b>

### Complaint and investigation figures, 2013–14

While complaint figures have stabilised in comparison with previous years, they nevertheless remain high in historical terms. Some reasons for this include:

- > increased numbers of Australian families online
- > greater community awareness of dangers posed by harmful content
- > improved understanding of how to report suspected prohibited content to the ACMA Hotline
- > deepened engagement between the ACMA and Australian law enforcement agencies.

During the reporting period, ACMA awareness-raising initiatives also added to the greater community knowledge of the complaints mechanism. These included:

- > activities during National Child Protection Week 2013
- > an infographic on the effectiveness of the ACMA's investigations into child sexual abuse material in the calendar year 2013.

Table 30 shows the breakdown by content type of online content items actioned as a result of completed investigations in which prohibited or potential prohibited content was located.

As shown in Figure 4, the US continued to account for the majority of prohibited/potential prohibited online content provided from outside Australia.

### Memorandums of understanding with Australian police forces

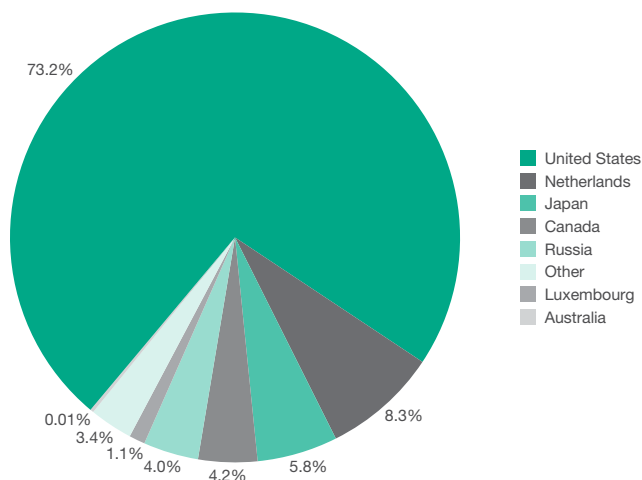
In 2013–14, the ACMA concluded a number of revised MoUs with Australian police forces in New South Wales, Tasmania, South Australia and Western Australia. A new MoU between the ACMA and Northern Territory Police is also the first time such an arrangement has been concluded between the two agencies.

The agreements allow the ACMA to notify sufficiently serious content to state and territory police forces where there is evidence that the content is being provided or accessed from, or has been produced in, the relevant jurisdiction.

Sufficiently serious content includes child sexual abuse material, content providing instruction in crime or violence, and material advocating the doing of a terrorist act.

In addition to the above revised arrangements, the ACMA also formed a new agreement with Crime Stoppers Australia that better directs Australians to the appropriate mechanisms for reporting illegal material.

Figure 4: Prohibited or potential prohibited internet content by host location, 2013–14



### National Child Protection Week 2013

The ACMA Hotline participated in National Child Protection Week (1–7 September 2013) to raise awareness of how online child sexual abuse material is combated. This annual national campaign is an initiative of the National Association for Prevention of Child Abuse and Neglect (NAPCAN).

During the week, the ACMA Hotline undertook 418 investigations into child sexual abuse material based on complaints—a four-fold increase on the previous year’s activities. All of the content was hosted overseas.

The content investigated during the week contained more than 4,700 exploitative images of children—4,280 of girls and 440 of boys.

All images investigated were notified to either the AFP and/or INHOPE for rapid law enforcement notification and take-down in the host country.

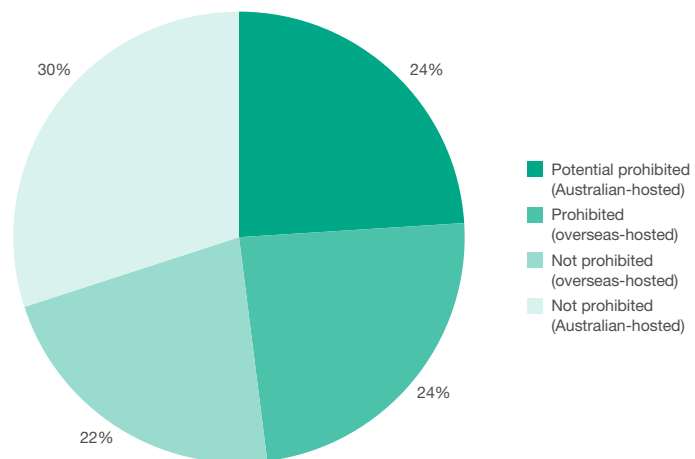
### Interactive gambling

In 2013–14, the ACMA received 121 complaints and general enquiries about the *Interactive Gambling Act 2001* (IGA). The ACMA conducted:

- > 23 investigations into overseas-hosted URLs, of which 11 resulted in breach findings and were notified to accredited family-friendly filter providers<sup>7</sup> and the AFP
- > 25 preliminary assessments of Australian-hosted URLs, of which 10 were referred to the AFP<sup>8</sup>
- > 45 interactive gambling advertising referrals to DoC.

The ACMA continued its partnerships with the AFP and DoC by sharing information and expertise.

Figure 5: Comparison of interactive gambling assessment outcomes in 2013–14 by host location—IGA



7 In accordance with the code of practice registered under the IGA.

8 Under section 20(3)(a) of the IGA, the ACMA must not investigate a complaint about Australian-hosted content. However, it may, if it considers it warranted, refer the complaint to an Australian police force.

## National interest issues

Agencies involved in the national security of Australia and law enforcement and emergency services have special operational requirements in the telecommunications industry. The ACMA administers the applicable law under the Telecommunications Act and liaises with representatives of agencies and the telecommunications industry.

### Identity-checking requirements for prepaid mobile phone services

The ACMA is responsible for making and administering a determination that requires CSPs to obtain and verify identity information about the purchasers and service activators of prepaid mobile services.

On 30 October 2013, the ACMA made the Telecommunications (Service Provider—Identity Checks for Prepaid Mobile Carriage Services) Determination 2013 under section 99 of the Telecommunications Act. The determination revoked and replaced an earlier determination, and introduced changes to streamline the identity verification requirements for prepaid mobile services and enhance their effectiveness.

While core obligations from the previous determination largely remain, the new determination allows mobile providers to verify a person's identity information through a range of new methods. These include confirming an existing post-paid account and using government online verification services.

The new identity verification methods in the determination were developed by a joint industry and government working group.

Industry is moving to take advantage of the efficiencies of the new rules—a number of mobile providers are close to completing the IT upgrades required to use the new government online verification services supported under the determination.

### Interception exemption for trial services

Section 193 of the TIA Act gives service providers the opportunity to trial new services before committing expenditure on interception capability. The ACMA can grant an exemption from the obligation to provide interception capability if, after consulting with appropriate interception agencies, it is satisfied that this is unlikely to create a risk to national security or law enforcement.

There were no exemptions granted during 2013–14.

### Disclosure of customer information to law enforcement and national security agencies

Customer information provided by telecommunications carriers and CSPs to law enforcement and national security agencies is protected under Part 13 of the Telecommunications Act. Carriers and CSPs are prohibited from disclosing that information to other parties except in limited circumstances. Those circumstances generally relate to:

- > assisting in investigations by law enforcement or national security agencies, or the ACMA, ACCC, TIO or TUSMA
- > assisting where there is an imminent threat to a person's life or health
- > satisfying the business needs of other carriers and CSPs.

The ACMA is required under paragraph 57(2) (f) of the ACMA Act to include in its annual report information on disclosures of customer information made during the reporting year. The number and type of disclosures made during 2013–14, as reported to the ACMA under section 308 of the Telecommunications Act, are provided at Appendix 10.

### Disclosure of Integrated Public Number Database data for telephone-based emergency warning systems

Part 13 of the Telecommunications Act allows information contained in the Integrated Public Number Database (IPND) to be disclosed for the testing and operation of telephone-based emergency warning systems by state and territory governments.

Appendix 10 provides the number of telephone numbers that have been disclosed for this purpose in the reporting period, a description of the emergency or likely emergency, and the location and number of persons to whom the information was disclosed under subsections 295V(1) or 295V(2) of the Telecommunications Act.

### Emergency call service

The emergency call service is a national operator-assisted service that connects emergency callers free-of-charge to state and territory emergency service organisations (ESOs)—police, fire and ambulance.

The service is provided by the following emergency call persons:

- > Telstra, for the emergency service numbers 000 and 112
- > Australian Communication Exchange, for the emergency service number 106, used by people who are deaf or hearing-/speech-impaired.

### Emergency Call Service Advisory Committee

The ACMA convenes the Emergency Call Service Advisory Committee (ECSAC) as a formally constituted advisory committee. ECSAC provides a forum for representatives of the telecommunications industry, emergency call persons and emergency service organisations to provide advice to the ACMA and discuss priority issues affecting the operation of the service. ECSAC met once in 2013–14 and provided advice on a range of matters. Details of ECSAC members are provided at Appendix 2.

### Reducing the volume of non-emergency calls

An ongoing objective for emergency service delivery has been to reduce the volume of calls to Telstra as the ECP for 000 and 112 that are not related to an emergency. Of the 8.48 million calls made to the ECP during 2013–14, 5.74 million were connected through to an ESO.

Calls that are categorised as non-emergency may include instances of accidental calls (a particular issue with mobile phones), nuisance calls, calls for assistance that are not time-critical and calls to services that are not accessible through the emergency call service, such as state emergency services.

Since Telstra's introduction of a short recorded voice announcement for the Triple Zero service on 19 December 2008, the number of calls to Triple Zero reaching the ECP has reduced by about 30 per cent, without any genuine calls being affected. Another effective measure to reduce non-emergency calls has been the implementation of an industry-agreed escalated warning process. On average, 99 per cent of callers who receive a warning from the ECP are deterred from further misuse. Experience is showing that the risk of account suspension and police referral is acting as a significant deterrent.

### Triple Zero Kids' Challenge

During the reporting period, the Triple Zero Awareness Work Group, an ECSAC working group, was active in developing initiatives aimed at improving awareness of Australia's emergency call service, particularly among children. In August 2014, the Triple Zero Awareness Work Group (of which the ACMA is a member) launched smartphone and tablet application versions of the Triple Zero Kids' Challenge to improve accessibility. The program aims to educate children aged between five and 10 about the emergency call service. Over 925,000 games have been played since its launch in May 2010.

### Emergency+ app

In December 2013, the Triple Zero Awareness Work Group launched a new Emergency+ app for smartphones. When activated, the Emergency+ app gives users their GPS reference, which they can provide orally to an emergency call-taker to pinpoint their physical location. The app also contains contact numbers and a short explanation of when to call non-emergency numbers such as the Police Assistance Line and the national State Emergency Service (SES) number. There have been over 90,000 downloads of the Emergency+ app since the launch.

### Complaints and investigations about the Triple Zero service

During the reporting period, the ACMA received a small number of complaints and enquiries about the Triple Zero service. Most of these related to the handling of calls by an ESO (and not to Telstra as the ECP for 000 and 112), and were referred to the relevant organisation for a response. In May 2014, the ACMA finalised an investigation into alleged failure to provide Triple Zero access, with a no breach finding due to insufficient evidence.

### TPG Federal Court judgement

In April 2014, the Federal Court of Australia ordered TPG Internet to pay penalties totalling \$400,000 for contraventions of the Telecommunications (Emergency Call Service) Determination 2009.

This followed an investigation by the ACMA into a complaint about a failure to connect a call made to the Triple Zero emergency call service on a home telephone service supplied by TPG Internet. The call was made in circumstances where an individual required urgent medical attention.

During the course of the ACMA's investigation, TPG Internet advised that, as a result of an error in a software upgrade to its systems, from 15 March 2011 to 21 September 2011 the end users of 5,979 home telephone services, whose customers had failed to maintain an appropriate credit balance, did not have access to the Triple Zero emergency call service until the credit balance was restored. Telephone records provided by TPG Internet indicated that, during the relevant period, 193 calls were made to Triple Zero on 100 of those home telephone services and none was connected.

### Integrated Public Number Database

The IPND is a telecommunications industry-wide database of all listed and unlisted public numbers and their associated customer data. Law enforcement agencies and emergency services regularly access customer data from the IPND and it is critical that the data is accurate for these purposes.

In addition to ongoing compliance activity to improve data quality in the IPND, the ACMA continued to contribute to the IPND review conducted by DoC.

### CSP compliance with IPND requirements

The ACMA's compliance program includes a package of measures developed to improve compliance by CSPs with their IPND-related regulatory obligations and, in so doing, improve the quality and completeness of data contained in the IPND.

In 2013–14, a key compliance activity was to monitor, on a monthly basis, the percentage of customer records each data provider has in the IPND with one or more errors, as identified by the IPND Manager. This monitoring resulted in the ACMA raising compliance issues with 15 CSPs. All 15 CSPs contacted by the ACMA have taken steps to improve the quality of the customer data they provide to the IPND Manager.

### Lycamobile enforceable undertaking over IPND rule breaches

In September 2013, the ACMA accepted an enforceable undertaking from Lycamobile, following an investigation that found it had breached its obligations to provide accurate customer information to the IPND.

The enforceable undertaking commits Lycamobile to:

- > upgrade its data collection and error correction processes
- > audit its existing records against address validation software
- > instigate a comprehensive training and education process
- > regularly report to the ACMA for two years.

Since the enforceable undertaking was accepted, the quality of Lycamobile's customer data has improved significantly, with the percentage of incorrect customer records at a fraction of previous levels.

## Cybersecurity

During 2013–14, the average number of compromises—malware infections on computers—reported per day to internet service providers (ISPs) and educational institutions participating in the ACMA's Australian Internet Security Initiative (AISI) was 25,839 (up to 27 May 2014). This was an increase of approximately 52 per cent on the previous year, primarily due to the proliferation of a new malware type, ZeroAccess, which started in August 2013.

Since 27 May 2014, as a result of the implementation of the AISI 2.0 project, AISI members have received daily reports listing most observations of malware infections in their networks. Previously, they received only a single report for each infected IP address in each 24-hour period. As a consequence of this change, figures showing the number of reports sent to AISI members before and after 27 May are not comparable. Between 28 May and 30 June 2014, 1.66 million observations of malware infections were reported to AISI members.

The number of AISI participants increased from 133 at 30 June 2013 to 139 at 30 June 2014. It is estimated that the internet protocol (IP) address ranges used by these AISI members account for 98 per cent of allocated Australian IP address ranges.

Reports of spam provided to the ACMA can indicate 'phishing' activities—the use of electronic messages to acquire significant personal or financial information from users. Since 2011–12, the ACMA has provided notifications of URLs appearing in phishing messages to government agencies such as the Australian Taxation Office, and critical infrastructure providers such as carriers and financial institutions. In 2013–14, a monthly average of 3,866 phishing notifications was sent.

In support of these activities, in 2013–14 the ACMA has:

- > Published on its website statistics on the number and types of malware infections reported each day through the AISI to participants, updated daily.
- > Increased data on compromised computers feeding into the AISI in order to enhance the detection of compromises. Over 17 sources provide regular data into the AISI, including, in May 2014, an agreement for Microsoft to supply the ACMA with data from the Microsoft Cyber Threat Intelligence Program.

These activities form part of the whole-of-government effort to address cybersecurity risks. In support of this effort, the ACMA also provides data to law enforcement authorities and to CERT Australia that help in identifying current and new cybersecurity threats.



## Case study

# AISI 2.0 portal

In response to feedback from AISI members, the ACMA upgraded AISI data and provided a self-service model through its AISI 2.0 project. The project culminated on 16 June 2014 when the AISI portal was made available to AISI members.

Historically, the AISI provided daily reports to members by email with basic information about sightings of malware infections on their networks. These reports provided the last observation of a particular infection type within a 24-hour period. Given the number of internet-enabled devices connected to home and small-business networks has increased in recent years, it was important to give AISI members, including ISPs, better searchable information to help them identify the infected customer equipment, and advise and help their customers with remediation.

The AISI portal now provides members with access to information, including remote and local port information, about all observations of infections on their networks. Searches and reports can be exported into members' systems, allowing them to couple AISI information with their own data. It is anticipated that AISI 2.0 will be central to reducing the risk of malware threats for Australian consumers in 2014–15.

**aisi**  
Australian Internet  
Security Initiative

## International matters

During the reporting period, the ACMA pursued a defined international engagement strategy to complement its overall strategic direction. Improving its ability to influence regulatory outcomes—as well as supporting the ACMA's aspirational objective to be, and be recognised as, the world's leading converged communications regulator—are objectives of the international engagement strategy. The ACMA engages internationally to:

- > meet its strategic objectives and legislative requirements where these require international activity, including the areas of online content, spam, e-security, cybersafety, radiocommunications and telecommunications
- > support Australia's domestic needs and whole-of-government objectives, including trade, international competitiveness and regulatory capacity
- > support external positioning objectives, which uphold the ACMA as a credible source of advice to government and industry on international matters.
- > develop relationships with fellow regulators and strengthen bilateral relationships with regional authorities and standards development bodies.

## International spectrum activities

The ACMA's international spectrum activities include key preparatory work for the 2015 ITU World Radiocommunication Conference (WRC-15), to be held in Geneva from 2 to 27 November 2015. In total, 155 Australian delegates participated and 58 Australian contributions were presented at national, regional and international radiocommunications meetings.

### Meetings of the ITU Radiocommunication (ITU-R) and Telecommunication Standardization Sectors (ITU-T)

- > The ACMA led Australian delegations to a total of 43 ITU-R Study Group and Working Party meetings. Much of this work focused on studies associated with WRC-15 Agenda items as well as standards for international radiocommunications and spectrum activities.
- > The ACMA facilitated inputs to ITU-T meetings, including Australian delegations to ITU-T Study Group 5 and Study Group 16 meetings.

### Meetings of the Asia-Pacific Telecommunity (APT)

- > **37th session of the APT Management Committee, Vientiane, 5–11 November 2013**  
Led by DoC and the ACMA, the Australian delegation secured arrangements to host the third meeting of the APG15 in Australia and the inaugural Training Workshop for APG15-3.
- > **2nd APT Preparatory Group (APG15-2) Meeting for WRC-15, Bangkok, 10–15 July 2013**  
The ACMA-led delegation helped to develop the outcomes of the meeting that were generally consistent with Australian Preliminary Views.

- > **APG 15-3, Brisbane, 9–13 June 2014**  
Hosted by the ACMA, and with 324 delegates from 28 of the 38 APT member administrations attending, the focus was to further develop Asia–Pacific regional views on WRC-15 Agenda items. It was also an opportunity for the domestically agreed Australian Preliminary Views to be further incorporated into the regional views. A Training Workshop was held in the lead-up to this event from 6 to 7 June. For more information on APG 15-3 and the workshop, see the case study on page 107.
- > **2nd APT Preparatory Meeting for the 2014 ITU Plenipotentiary Conference (PP-14), Gold Coast, 26–30 October 2013; 3rd APT Preparatory Meeting for PP-14, Kuala Lumpur, 2–5 June 2014**  
The objective of these meetings was to prepare APT views and preliminary common positions for PP-14.
- > **Two meetings of the APT Wireless Group (AWG), Thailand, August 2013 and March 2014**  
The ACMA led the Australian delegation to these meetings, the objectives of which included developing cost-effective and timely radiocommunications solutions, sharing information on radiocommunication technologies and harmonising spectrum usage in the Asia–Pacific region.

#### Non-APT meetings and other events

- > **6th Multi-lateral Meeting of Administrations, 10–14 November 2013**  
This meeting reviewed an established MoU on multilateral satellite network coordination for L-band geostationary mobile satellite services.

#### Other international activities

- > ACMA Chairman Chris Chapman attended the Asia–Pacific Regulators’ Roundtable from 14–15 October 2013 and an ITU/KCC International Training Program from 16–18 October 2013, both in the Republic of Korea.
- > ACMA Deputy Chairman Richard Bean attended the eighth anniversary celebration of the National Communication Commission of Taiwan on 21 February 2014; and the Family Online Safety Institute annual conference and the 3rd Annual Americas Spectrum Management Conference of Forum Global, both held in Washington DC, on 6 and 7 November 2013.
- > The ACMA also hosted visitors from overseas communications and regulatory agencies. These visits facilitate collaboration and information exchange on international communications policy and regulation issues. This included delegations from Canada, People’s Republic of China, Papua New Guinea, Nigeria, Indonesia, Japan, the Republic of Korea, Kenya, Uganda, the US and France. Topics discussed included spectrum management and planning, rollout of broadband communications services, dealing with illegal online materials, universal service regulation, consumer protection, carrier licensing, TV broadcasting content regulation and the digital economy.
- > The ACMA was represented at the INHOPE members’ meetings held in Amsterdam and Utrecht from 12 to 14 November 2013, and in Warsaw from 10 to 12 June 2014. Members’ meetings provide a valuable forum for exchanging information and expertise on investigation techniques; highly sensitive reports; staff welfare; and other hotline management, technology and operational issues (see also *Online content complaints* on page 96).

## Case study

# Regional spectrum cooperation— hosting APG15-3

The World Radiocommunication Conference (WRC) is a forum for many key debates on spectrum and other critical international radiocommunications issues. As a key milestone to WRC-15, to be held in Geneva in November 2015, the ACMA hosted APG15-3 in Brisbane from 9 to 13 June 2014.

More than 350 delegates from 32 of the 38 APT member administrations attended APG15-3, the third of five APT Preparatory Group meetings. A key focus was to further develop the Asia-Pacific regional views on WRC-15 Agenda items.

The ACMA manages a very extensive preparatory process for the WRC and, through this process, develops the views for Australia's future spectrum requirements. APG15-3 was an important opportunity to integrate agreed Australian Preliminary Views on WRC issues into the regional views developed at the meeting. This objective was achieved, with Australian Views often providing a basis for the final regional views. The Australian delegation and the ACMA provided leadership and helped negotiate difficult decisions during the meeting.

In hosting the event, the ACMA led one of Australia's largest ever delegations to an international radiocommunication meeting, with a total of 50 delegates registered. Bilateral meetings were also organised between senior ACMA delegation members and key regional and international representatives.

Immediately prior to APG15-3, the ACMA also hosted the first APG Training Workshop. The objective of the workshop was to help APG delegates from developing countries to better understand the complex and demanding processes of the regional APG meetings. More than 80 people from 22 APT member countries participated in the workshop, including many senior office-bearers from the APG and ITU representatives.

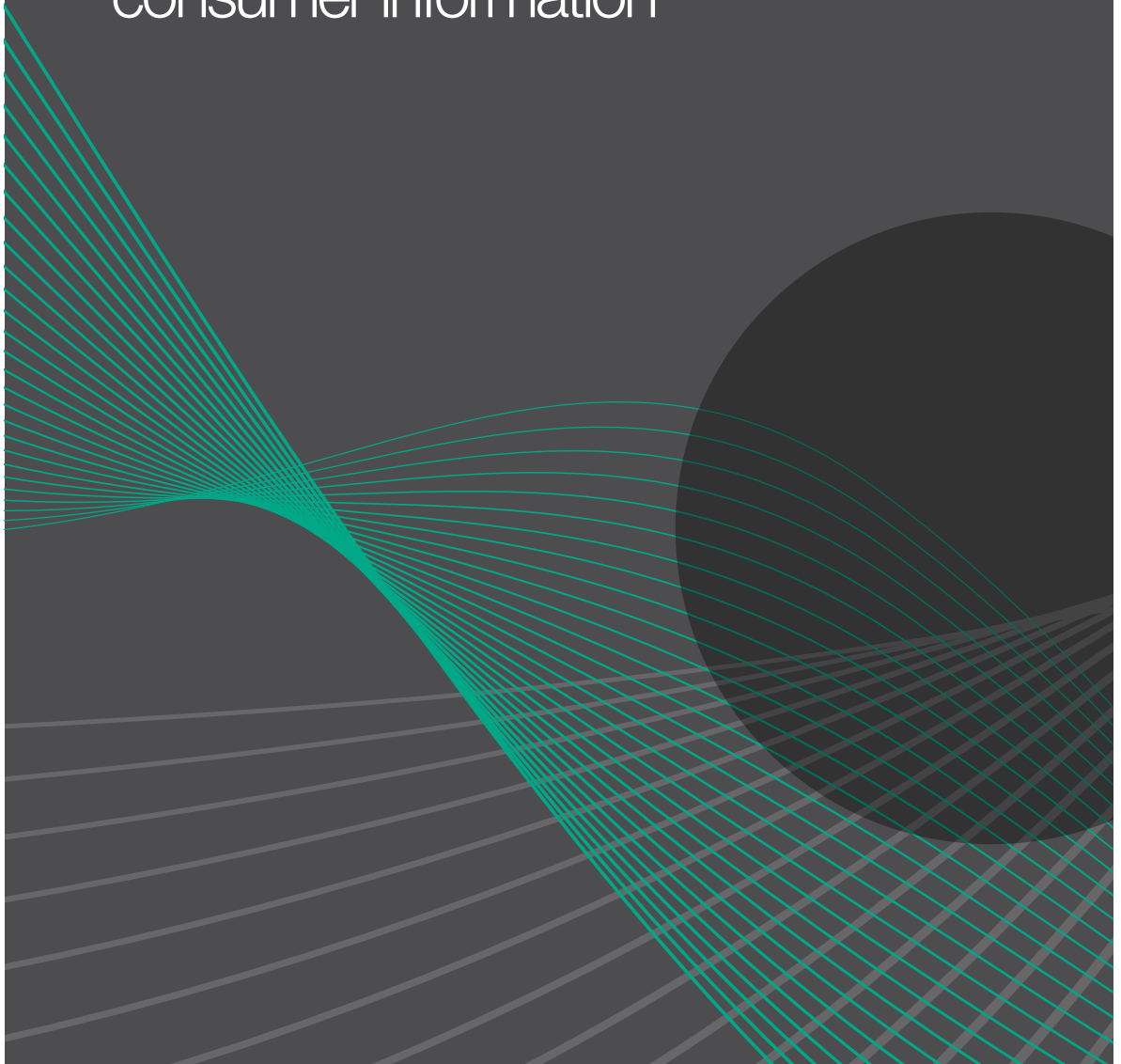
The two-day workshop covered detailed presentations on APG meeting process and interactive sessions on writing, presenting and debating contributions to the meeting. The workshop was enthusiastically received and the ACMA anticipates the training activity to be a feature of future APG meetings.



*More than 350 delegates from 32 APT member administrations attended the ACMA-hosted APG15-3 meeting in Brisbane.*

## **Chapter 3**

# Content regulation and consumer information



Chapter 3 reflects the ACMA's key result areas related to:

- > Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice
- > Program 1.2: Consumer safeguards, education and information.

The ACMA's responses to the performance information set out below for Program 1.2 can be found throughout the chapter, noting that matters of compliance and enforcement are addressed in Chapter 2.

#### **Program 1.2: Consumer safeguards, education and information**

##### **Program 1.2 Key performance indicators**

- > The community has access to sufficient information to enable it to make informed decisions about communications products and services.
- > Effective community safeguards are implemented and maintained.
- > Research is undertaken, and stakeholders engaged, to maximise the extent to which information, standards and safeguards address the broad concerns of the community.

##### **Program 1.2 Deliverables**

- > Deliver information programs to raise awareness of rights and responsibilities, including safety issues.
- > Report on industry compliance with statutory consumer safeguards available within required timeframes.
- > Develop cybersafety education programs which are research based and educationally sound.
- > Undertake consultation at regular intervals to receive information and advice on matters affecting consumers of communications services.
- > In co-operation with industry, undertake reviews of communications standards, codes and determinations within appropriate timeframes.
- > Raise awareness of Australia's spam and Do Not Call legislation among consumers, businesses and the telemarketing and e-marketing industries through education programs and publications.

## The ACMA's role

The ACMA's role includes informing the community about communications matters and delivering effective consumer protection. To this end, the ACMA provides information to facilitate informed decisions about communications products and services. Industry-developed codes of practice set out the requirements to meet service and information provision obligations.

### Australian content in advertising

Television Program Standard 23—Australian Content in Advertising requires that commercial television broadcasting licensees each year provide at least 80 per cent Australian-produced advertisements between 6 am and midnight. Following an extended period of high self-reported compliance, and noting a desire for red-tape reduction, the ACMA considered the program standard to be more efficiently monitored by other compliance means. As such, no compliance returns were required by licensees for the 2013 period.

### Australian content

All metropolitan commercial television broadcasting licensees reported meeting main channel (55 per cent) and multi-channel (730 hours) transmission quotas for Australian content.

The transmission quotas apply to programs televised by free-to-air commercial broadcasters between 6 am and midnight each calendar year and are specified by the BSA. Australian content on commercial television's main broadcasting channels remained high, with the Seven Network providing an average of 69 per cent local programming, the Nine Network an average of 65 per cent and Network Ten an average of 59 per cent.

2013 marked the first year of the new transmission quota for broadcasters' multi-channels. This new Australian content obligation was comfortably met by all metropolitan broadcasters by more than double the minimum requirement. The multi-channel quota increased to 1,095 hours in 2014, and increases to 1,460 hours in 2015 and beyond.

In addition, there are specific minimum annual sub-quotas for first-release Australian drama, documentary and children's programs, as well as sub-quota requirements for repeat children's programs and Australian preschool programs that licensees must meet on their core/primary commercial television service. Notably, 2013 marked the final year of the latest triennial period for adult drama. For the period 2011–13, all commercial television metropolitan licensees reported meeting the 860-point drama score:

- > Seven Network licensees averaged 911 points
- > Nine Network licensees averaged 876 points
- > Network Ten licensees averaged 870 points.

In 2013, three Network Nine licensees failed to provide minimum first-release Australian C programming, with 124 hours of the minimum 130-hour requirement. Appropriate remedial action for these licensees will be finalised in the next reporting period. All other metropolitan licensees reported compliance with the sub-quota requirements in 2013.

### Australian music code

Code 4 of the Commercial Radio Codes of Practice sets quotas for the broadcast of Australian music by commercial radio licensees, for analog and digital-simulcast services. The ACMA's role is to investigate relevant valid code complaints.

The Australian Recording Industry Association (ARIA) monitors and reports on commercial radio stations' compliance with their obligation under code 4. ARIA's most recent annual report on the performance of Commercial Radio Australia members for code 4 is available at [aria.com.au](http://aria.com.au).

## Children's television

In 2013, the amount of first-release Australian children's drama broadcast reported by the metropolitan networks averaged more than the 25-hour quota:

- > Seven Network licensees averaged 27 hours (32.5 hours in 2012)
- > Nine Network licensees averaged 27.5 hours (32 hours in 2012)
- > Network Ten licensees averaged 34 hours (25 hours in 2012).

Most metropolitan licensees reported meeting the minimum quota requirements for children's programming in 2013, with the exception of three licensees operated by Nine Network. Following investigations undertaken in 2014, the ACMA found the licensees—TCN Channel Nine (TCN), General Television Corporation (GTV) and Queensland Television (QTQ)—provided 258.5 hours of C programming in 2013, below the minimum 260-hour quota required by CTS 8(2)(a).

## Children's and preschool programs

During 2013–14, the ACMA assessed 40 applications for classification of children's and preschool programs, including the renewal of classification for three preschool programs. Only one application was refused classification. This compares with 38 programs assessed and 36 granted classification in 2012–13 (see Table 31).

Of these program classifications, 100 per cent were completed within 60 days of the ACMA receiving a completed application.

A list of children's television consultants and programs granted C or P classification is in Appendix 5.

**Table 31: Children's and preschool program classification, 2012–13 and 2013–14**

	2012–13		2013–14	
	Applications granted classification	Applications refused classification*	Applications granted classification	Applications refused classification*
Children's programs	9	1	8	1
Children's programs—drama	12	1	16	0
Provisional—children's	8	0	7	0
Provisional—preschool	2	0	1	0
Preschool programs	5	0	7**	0
<b>Total</b>	<b>36</b>	<b>2</b>	<b>39</b>	<b>1</b>

\*These programs failed to satisfy the criteria in the CTS.

\*\*Includes three renewals of classification.



## Case study

# Hanging out for a guide to C & P classification applications

On 22 August 2013, the ACMA hosted a Google Hangout to launch its *Guide to the children's television classification for applicants for C & P programs*.

The Children's Television Standards 2009 (CTS) require commercial television licensees to broadcast minimum annual quotas of children's programming. All C (children's) and P (preschool) programs must be classified by the ACMA before they are broadcast on free-to-air commercial television. The guide summarises the classification criteria and provides information about the assessment procedure and application requirements.

The event was streamed live over the internet and then uploaded to YouTube. It was hosted by the ACMA with four key industry participants:

- > Cherrie Bottger, Head of Children's Programming, Network Ten
- > Suzanne Ryan, Executive Producer and CEO, SLR Productions
- > Rebecca Mostyn, Program Manager, Screen Australia
- > Emma Bain, CTS Program Classifier, ACMA.

The discussion dealt with several topics, including:

- > the challenges of adapting programs as kids move to watching content on mobile devices like smartphones and tablets
- > kids' ongoing love of stories involving comedy, adventure and mystery, despite the changing ways in which they view content
- > kids' ability to differentiate between—and their preference for—programs made specifically for them (such as C-classified programs) and general classification

programs or those made for adults (according to a survey of kids for Screen Australia's *Child's Play* report)

- > the importance of kids having access to Australian stories
- > the significance of government support for children's television through direct funding (Screen Australia), quotas (such as the CTS) and indirect funding (producer offset).

Participants also discussed applying to the ACMA for C or P classification, including:

- > the importance of producers having a clear picture of the program and its audience before applying for classification
- > the utility of provisional classification applications for new applicants and/or complex or atypical programs
- > the need for the pace of the program to be relevant to the child audience and to maintain a child's perspective.

The event was watched live by about 100 people and has since been viewed on YouTube more than 200 times.



Key industry experts joined the ACMA's Google Hangout on C & P classification.

## Declaration of primary services

In December 2013, Australia completed its transition from analog to digital-only television when the last analog broadcasting services were switched off.

From 1 January 2009 in the lead-up to analog switch-off, commercial broadcasters were authorised to provide up to three multi-channelled commercial television broadcasting services in digital mode; two standard definition television (SDTV) and one 'high definition' television (HDTV) service.

In preparation for the switch to digital-only television, there was a transitional 'simulcast period', during which commercial broadcasters were required to simultaneously transmit both analog and digital signals using one of the SDTV services. Under subclause 41G(2) of Schedule 4 to the BSA, the ACMA may declare that after the end of the simulcast period, a specified SDTV multi-channelled commercial television service is a licensee's primary commercial television broadcasting service in a licence area.

Under the BSA, different regulatory obligations for the application of program standards, captioning and certain provisions of the Commercial Television Industry Code of Practice 2010 apply to a licensee's primary channel compared to its other multi-channels.

In November 2013, the ACMA made primary service declarations for the last licence areas to switch to digital-only television:

- > Northern NSW TV1
- > Sydney TV1
- > Melbourne TV1
- > Remote Central and Eastern Australia TV1 and 2
- > Mt Isa.

## High definition broadcasting

The HDTV quota requirement was previously applicable to commercial and national television broadcasting services in a mainland metropolitan area, as well as some broadcasters in non-remote areas. The obligation to broadcast 1,040 hours of HDTV each year was operational until the end of the simulcast period in the relevant service area. Following the completion of analog switch-off in 2013, the obligation to meet the HDTV quota ceased. In the final compliance period, all broadcasters required to transmit the HDTV quotas complied.

The compliance results of national and commercial television broadcasters in the mainland metropolitan areas are in Table 32.

## Subscription television drama expenditure

The new eligible drama (NED) expenditure scheme requires licensees and channel providers that provide subscription television drama services to spend at least 10 per cent of their annual total program expenditure on eligible drama programs during a financial year.

Each year, scheme participants are required to provide annual returns by 29 August. As a result, only 2012–13 information is available for this annual report. For the 2012–13 compliance period, five licensees and eight channel providers supplied 33 eligible drama channels. All participants met their expenditure obligations for this period, reporting an expenditure on new eligible Australian drama of \$13.70 million (aggregated). Of that expenditure, \$6.41 million was nominated to acquit the expenditure shortfall for 2011–12. Similarly, for 2013–14, licensees and channel providers must spend a minimum of \$25.76 million on new eligible programs to acquit the remaining 2012–13 obligation.

Table 32: HDTV quota, 2013

Broadcaster	HDTV hours (range hhhh:mm)
ABC	8432:00
SBS	2196:00 to 8220:00
Seven Network	1022:26 to 2297:30
Nine Network	1051:36 to 3540:30
Ten Network	3854:45 to 3873:45

During the 2012–13 period, the ACMA also reissued compliance certificates relevant to one channel provider for compliance periods from 2007 to 2011, following concerns raised by the channel provider of reporting practice discrepancies. Following an exhaustive review of administrative procedures by the ACMA and channel provider, the ACMA found the channel had maintained the minimum spend required to acquit its expenditure obligation in each of the compliance periods. Subsequently, the ACMA published updated industry compliance results for the relevant periods, as shown in Table 33.

## Captioning

In September 2013, the ACMA received annual compliance reports on captioning obligations for national television broadcasters (the ABC and SBS), commercial television licensees and subscription television licensees.

The annual compliance reports indicated a high level of compliance with annual captioning target requirements during 2012–13, the first year for new television captioning obligations:

- > All 50 commercial television broadcasting licensees (involving 72 services) and both national broadcasters (the ABC and SBS services in 20 coverage areas) met their annual captioning target requirements. In total, the 92 free-to-air (commercial and national) television services broadcast 528,401 hours of captioned television programs in 2012–13 (6 am to midnight), making up approximately 93 per cent of the programming broadcast during this period.
- > Ninety-nine per cent of subscription television services (661 out of 667) met their annual captioning target requirements. During the year, there were captioning services on 394 subscription television services (or 80 distinct subscription television channels—as the same channels provided by different licensees are treated as different services under the captioning legislation).

However, television service providers also reported breaches of captioning obligations during 2012–13:

- > Both national broadcasters and 41 commercial television licensees reported instances of non-compliance with the basic captioning rule and/or captioning requirements for repeat programs on multi-channels.
- > Subscription television licensees' annual compliance reports also indicated a few early implementation problems, especially for captioning requirements of repeat television programs.

The ACMA has taken an educative approach to breaches of the captioning annual compliance obligations during 2012–13, the first year of implementation. This is consistent with the approach the ACMA has previously adopted in the first year following the introduction of other new broadcasting regulations.

Table 34 summarises the captioning breaches, excluding disregarded breaches.<sup>9</sup>

## Exemption orders

In December 2013, the ACMA received 41 applications for exemption orders (for 41 separate services) and no applications for target reduction orders. The ACMA made all 41 exemption orders for four individual subscription television licensees. The ACMA met the statutory requirement to make a decision on each application for exemption orders within 90 days of receiving the applications.

<sup>9</sup> Breaches resulting from unforeseen technical difficulties were disregarded as provided by the captioning legislation.

**Table 33: Revised NED expenditure compliance, 2007–08 to 2012–13**

	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13
	\$million					
NED expenditure requirement	23.08	26.11	27.74	30.87	28.82	33.41
Expenditure on NED	20.07	28.56	36.15	34.63	24.38	13.70
Expenditure nominated to make up previous year's shortfall	10.48	13.88	11.32	12.11	6.81	6.41
Expenditure nominated towards current year's NED requirement	9.16	14.79	15.59	24.05	22.53	6.42
Remaining obligation to be acquitted next financial year	13.92	11.32	12.15	6.81	6.41	25.76

**Table 34: Captioning breaches, 2012–13**

Captioning obligations	Free-to-air— number of services in breach	Subscription— number of services in breach	Description of obligations in 2012–13
Annual captioning target	0	Six services	Free-to-air: 90 per cent captioning 6 am to midnight across the year on core/primary services, with exceptions.  Subscription: 5–60 per cent captioning across the year depending on service category, with exceptions.  (See notes below.)
Emergency warnings	0	0	Transmit emergency warnings in text and speech and, if practicable, with captioning.
Basic rule— designated viewing hours (free-to-air)	53 services	n/a	Caption all programming between 6 pm and 10.30 pm each day (designated viewing hours) on core/primary service.
Basic rule— news and current affairs (free-to-air)	54 services	n/a	Caption all news and current affairs outside designated viewing hours on core/primary service.
Multi-channel (free-to-air)	17 services	n/a	Caption repeated programs on a multi-channel if those programs have previously been broadcast with captioning on the broadcaster's core/primary service in the licence or coverage area.
Simulcast programming (subscription)	n/a	Five services (only one distinct channel involved)	Caption simulcast programs on the second service if the programs are simultaneously transmitted with captioning on the first service.
Repeat programming (subscription)	n/a	44 services (only nine distinct channels involved)	Caption programs that have previously been transmitted with captioning and then repeated on the same or another subscription television service provided by the licensee.

*Notes:*

*Captioning obligations do not apply to exempt programs, which include foreign programs (wholly in a language other than English) and music programs that do not contain any human vocal content. In 2012–13, three commercial broadcasters had reduced annual targets of 80 per cent as a result of target reduction orders (unjustifiable hardship).*

*Some subscription services were exempt from the annual captioning target in 2012–13 as a result of exemption orders (unjustifiable hardship) and nominations under section 130ZX of the BSA (a transitional measure that allows exemption of certain services if the licensee has met the annual captioning target for the threshold number of services).*

## Consumer safeguards

The ACMA monitors and reports on the service performance and compliance of telecommunications companies, including against consumer safeguards that establish minimum performance standards and information obligations.

### International mobile roaming standard

The International Mobile Roaming (IMR) Standard came into effect on 27 September 2013. The IMR Standard was developed in response to a direction from the then Minister for Broadband, Communications and the Digital Economy. The standard requires providers to give consumers information about the cost of roaming when overseas and enable them to opt out of roaming services, in order to help minimise the risk and incidence of bill shock. It also requires CSPs to offer their customers spend management tools to help them manage expenditure while travelling.

Almost all Australian travellers are now receiving warning messages about international mobile roaming when they arrive at an overseas destination. The ACMA has reviewed the warning notifications sent by Telstra, Optus and Vodafone, and found all providers to be compliant. In accordance with the IMR Standard, customers of Telstra, Optus and Vodafone are also receiving pricing information via SMS, which helps mitigate the risk of bill shock.



Our video on the new IMR Standard highlighted how Aussie travellers can avoid bill shock when using mobile roaming services overseas.

### Telecommunications Industry Ombudsman scheme

Carriers and eligible CSPs have an obligation under the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (TCPSS Act) to join the TIO scheme. The scheme provides an alternative dispute resolution service for small-business and residential customers with unresolved complaints about their telephone or internet services.

The TIO may investigate, make determinations and give directions on complaints about carriage services by end users of those services. The TIO has the authority to make binding decisions up to the value of \$30,000 and recommendations up to the value of \$85,000.

#### TIO scheme membership

Section 128 of the TCPSS Act requires that all CSPs (including ISPs) that provide services to residential and small-business customers must join the TIO scheme.

From 1 July 2013 to 30 June 2014, the TIO referred six companies that had not joined the TIO scheme to the ACMA. Two of these matters resulted in the provider being issued with a direction to join the TIO scheme.

The other four referrals remain the subject of ACMA investigations.

#### Non-compliance with the TIO scheme

Following a referral from the TIO in September 2013, the ACMA commenced an investigation into a provider for failing to comply with the TIO scheme. The investigation found that the provider had failed to comply with a determination made by the TIO, and had therefore failed to comply with the TIO scheme, the TCPSS Act and subsequently the service provider rules set out at clause 1 of Schedule 2 to the Telecommunications Act. The ACMA issued the provider with a direction to comply with the TIO scheme, which was complied with.

#### Exemptions from the TIO scheme

Section 129 of the TCPSS Act allows the ACMA to declare a carrier or eligible CSP exempt from the TIO scheme.

In 2013–14, the ACMA granted five exemptions from the obligation to join the TIO scheme.

## Customer Information Committee

ACMA staff, in collaboration with Communications Alliance, are reviewing a number of regulatory and self-regulatory telecommunications instruments to identify areas for reform. The focus is on those instruments that do not require changes to legislation to be amended, including consumer codes.

The primary forum for this work is the Customer Information Committee (CIC), which is examining the current customer information provision requirements on the industry.

Other members of the CIC are representatives of Telstra, Optus, Vodafone, iiNet and ACCAN. The CIC has been meeting fortnightly since February 2014 and is expected to continue until identified reforms are implemented in late 2014.

## Universal service obligation

Part 2 of the TCPSS Act establishes a universal service regime administered by the ACMA, which includes the universal service obligation (USO).

The ACMA monitors several aspects of compliance with the USO regime through the Customer Service Guarantee and the Payphone Performance Benchmarks, and reports on these matters in its annual communications report (see also *Payphone performance* and *Customer Service Guarantee* below). TUSMA also manages contracts with Telstra for the provision of standard telephone services and payphones under the USO.

Telstra continues to be the only universal service provider and is responsible for all areas in Australia.

For information about USO funding and eligible revenue assessment, see pages 62–3.

## Payphone performance

In January 2014, the ACMA announced the conclusion of an investigation into Telstra's compliance with payphone removal requirements (for the period between 1 January 2012 and 31 March 2013). Telstra was found to have contravened:

- > provisions of the Telecommunications Universal Service Obligation (Location of Payphones) Determination 2011, by removing eight payphones

- > provisions of the Telecommunications Universal Service Obligation (Public Consultation on the Location or Removal of Payphones) Determination 2011 for the same eight payphones
- > the Telecommunications Universal Service Obligation (Payphone Complaint Rules) Determination 2011 in relation to where the payphone complaint process was located on its website.

These contraventions resulted in breaches of the Telecommunications Act and the TCPSS Act. The ACMA issued a formal warning to Telstra for these breaches.

In October 2013, the ACMA completed its assessment of Telstra's compliance against the Telecommunications Universal Service Obligation (Payphone Performance Benchmarks) (No. 1) 2011 for the period 1 July 2012 to 30 June 2013. The ACMA determined that Telstra met the required benchmarks.

In 2013–14, the ACMA received one complaint on the relocation of a payphone. The ACMA finalised this review within the reporting period and found that Telstra had complied with its Standard Marketing Plan and other agreed processes.

## Customer Service Guarantee

In January 2014, the ACMA released its assessment of the compliance of qualifying CSPs against the Telecommunications (Customer Service Guarantee—Retail Performance Benchmarks) Instrument (No. 1) 2011 and the Telecommunications (Customer Service Guarantee) Record-Keeping Rules 2011. The benchmarks and record-keeping rules applied to Telstra, Optus, iiNet and Primus for the 2012–13 period. Optus, iiNet and Primus met all relevant benchmarks in the reporting period.

There are nine applicable benchmarks for Telstra, of which it met seven. The two not met were for:

- > new connections in urban areas (88.6 per cent performance against a 90 per cent benchmark)
- > new connections in remote areas (89.0 per cent performance against a 90 per cent benchmark).

The ACMA issued Telstra an infringement notice with an administrative penalty of \$510,000 (subsequently paid by Telstra) for the breach relating to new connections in urban areas and issued a formal warning for the breach relating to new connections in remote areas.

The ACMA also receives notification of exemptions claimed by CSPs for mass service disruptions and monitors this information to determine that the requirements for claiming exemptions have been met. The number of mass service disruption notices (not including extensions) received by the ACMA from carriers/CSPs decreased from 265 in 2012–13 to 234 in 2013–14 (see Table 35). The impact of each exemption varies in the number of services affected and the duration.

### Network Reliability Framework

Under the NRF, Telstra is required to provide the ACMA with network performance reports at three levels:

- > Level 1—geographical area level, based on Telstra’s field service areas
- > Level 2—disaggregated parts of the network known as cable runs
- > Level 3—the individual service level.

Level 1 of the NRF shows the percentage of CSG services without a fault or service difficulty, the percentage of time CSG services are available and the average time (hours) to restore fault-affected CSG services.

Each month, the ACMA is required to approve the initial selection of Level 2 cable runs in line with a prescribed formula and to receive reports on the remediations. Where a remediation time frame has not been met, and the reasons for this match specific requirements, the ACMA can grant an extension of the remediation time frame. The ACMA approved all Level 2 cable run lists provided in 2013–14 and granted 20 extensions of time for remediation of cable runs in the reporting period.

The Level 3 requirement is for Telstra to remediate individual services that have experienced more than three faults or service difficulties in a 60-day rolling period or more than four faults or service difficulties in a 365-day rolling calendar period. The ACMA is required to approve a proposed remediation plan for the services. In 2013–14, Telstra reported 2,525 Level 3 contraventions, for which the ACMA approved all submitted remediation plans.

Service performance under the NRF is reported in the ACMA’s annual communications report.

**Table 35: Mass service disruption notices, by carrier/CSP**

Carrier	No. of notices
Telstra	60
iiNet	60
Optus	56
M2 Group*	58
<b>Total</b>	<b>234</b>

\*M2 Group exemption notifications include Primus, Eftel and Dodo exemptions due to recent acquisitions by the M2 Group.

### Priority assistance

Priority assistance is an enhanced telephone connection and repair service for people with a diagnosed life-threatening medical condition who are at risk of suffering a rapid deterioration in their condition. Telstra is currently the only carrier required under its carrier licence conditions to provide priority assistance services. However, other service providers may offer priority assistance in accordance with industry code ACIF C609:2007 *Priority Assistance for Life Threatening Medical Conditions*.

The ACMA received one complaint about priority assistance in 2013–14, which was resolved through communication with the complainant. The ACMA also concluded one investigation that commenced in 2012–13 on compliance with section 19 of Part 6 of Schedule 2 of the Telecommunications Act. This section requires a CSP that does not offer priority assistance to inform a prospective customer of that fact and notify the customer of another CSP that does offer priority assistance. The investigation resulted in the CSP agreeing to modify its policies and procedures to comply with the Telecommunications Act.

### Informed consent arrangements for NBN battery back-up services

The government has advised the ACMA that, for the provision of NBN fibre services with battery back-up at customer premises, CSPs should acquire and retain the informed consent of customers in a consistent manner. The ACMA was asked to consider potential regulatory mechanisms—including developing a service provider determination—to achieve the stated policy aims.

During the reporting period, the ACMA published an options-stage Regulation Impact Statement on various options and subsequently proceeded to obtain feedback on these options via a public consultation process. The ACMA is considering the preferred approach in light of the submissions received and subsequent consultations with industry and other submitters. A decision on the appropriate arrangements is expected early in the next reporting period.

### Transition of legacy over-the-top services to the NBN

The ACMA has continued to be represented on an industry working group established by Communications Alliance to deal with issues associated with the transition of legacy over-the-top services to the NBN.

### NBN-related web materials

During the reporting period, the ACMA reviewed its suite of online materials designed to help both consumers and industry with the transition to the NBN. The content was modified to reflect the government's revised NBN policy settings, and to make information about existing regulatory obligations and links to external websites accurate and appropriate.

### Local presence plan

Under its licence conditions, Telstra is required to maintain a local presence in regional, rural and remote Australia, to the extent that this is broadly compatible with its overall commercial interests.

In accordance with Telstra's carrier licence conditions, the ACMA received Telstra's report on performance against the local presence plan for the previous reporting period 2012–13 on 29 August 2013.

### Reconnecting the Customer Mobile Network Performance Forum

The ACMA held the *Reconnecting the Customer Mobile Network Performance Forum* on 14 November 2013. The purpose of the forum was to:

- > gain a better understanding of what is at the heart of consumer complaints about mobile network performance
- > identify whether these issues are being sufficiently addressed
- > find out what information helps consumers to understand providers' network performance
- > identify whether current offerings meet consumer needs.

Following the forum and consultation with the ACMA, the Australian Mobile Telecommunications Association and Communications Alliance developed a new consumer guide.



The guide is an overview of the factors that can affect a mobile consumer's experience of mobile networks, including issues such as coverage, and the built and natural environments. The guide also explains what consumers should do if they experience problems with their mobile service.

### Consumer Consultative Forum

The CCF is a formal advisory committee established under section 59 of the ACMA Act to help the ACMA perform its consumer functions. It provides advice to the ACMA on communications issues (mainly telecommunications and the internet) that affect consumers.

This year, the ACMA appointed three new consumer representatives—Catriona Lowe (Consumers Federation of Australia), Chris Jeffery (Council on the Ageing WA) and Hollie Baillieu (National Farmers Federation).

Consumer representatives joined regulators and industry bodies at two meetings during the reporting period to discuss topics including:

- > the NBN and its impact on consumers
- > ACMA activities such as the enforcement of the TCP Code
- > mobile network performance
- > the government's deregulation program

- > cross-sectoral approaches to identifying and assisting customers experiencing financial hardship
- > a wide range of emerging issues such as the failure of small telecommunications companies.

In addition to twice-yearly meetings, consumer representatives will attend regular teleconferences between meetings throughout 2014.

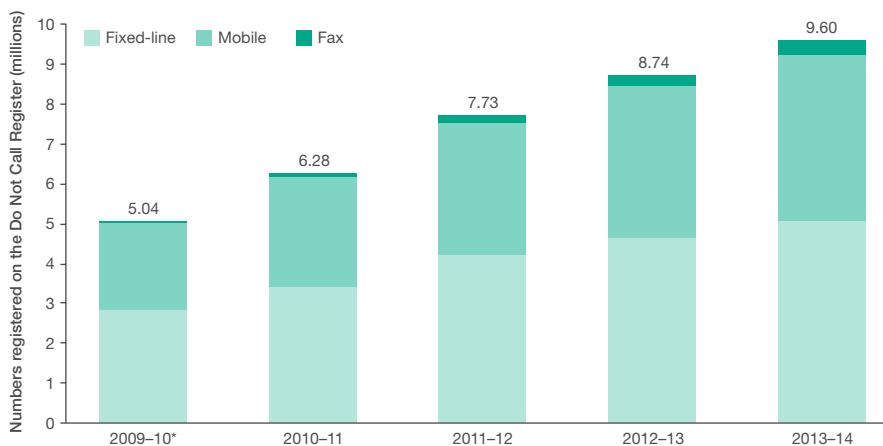
### Do Not Call Register

Australians continue to add their numbers to the Do Not Call Register—more than 860,000 fixed-lines, mobiles and faxes were added in 2013–14. By 30 June 2014, more than 9.6 million numbers had been listed on the register, representing around half of Australia's fixed-line numbers, 4.1 million mobile numbers and 377,000 fax numbers (see Figure 6). Registration remains free and is valid for eight years.

To avoid breaching the DNCR Act, telemarketers and fax marketers can submit their call lists for checking against the register. In 2013–14, over 1.1 billion numbers were checked or 'washed' against the register by 1,189 telemarketers and fax marketers.

A proportion of telemarketers and fax marketers that wash their numbers against the register are based overseas. Outside of Australia, India, the Philippines and the US have the highest numbers of washing accounts.

Figure 6: Fixed-line, mobile and fax numbers listed on the Do Not Call Register, 2009–10 to 2013–14



\*The Do Not Call Register Legislation Amendment Act 2010 expanded the register to include government, emergency service and fax numbers.

## Do Not Call Register consumer awareness

The Do Not Call Register website has consumer brochures in six languages to help people register their phone numbers. A number of consumer information sheets are also available on the website.

## Protection of consumer information

Part 13 of the Telecommunications Act provides for the ACMA to administer the IPND scheme.

The IPND is an industry-wide database of all listed and unlisted public telephone numbers. It was established in 1998 and is currently managed by Telstra under the Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997.

The IPND scheme allows for the assessment of applications for authorisation for public number directory publishers and people conducting research of a kind specified by the minister as being in the public interest. In the year to 30 June 2014, no authorisations to access IPND data for the purposes of conducting permitted research were granted. As a result, at 30 June 2014, six entities held authorisations to access IPND data for the purpose of publishing public number directories and one entity held research authorisation. Four of the authorisations relate to electronic public number directories.

See also *Integrated Public Number Database* on page 102.

## Review of '190' phone service rules

In March 2013, the ACMA began a review of the Telecommunications Service Provider (Premium Services) Determination 2004 (No. 1), which obliges providers to give customers information about 1900, 1901 and 1902 premium service numbers, including the potential costs associated with these services and how to avoid unexpectedly high bills.

Since the determination was made in 2004, new business models for providing premium content have evolved and the significance of 190 premium services has steadily declined. Updated consumer protection tools are also available in the TCP Code. The ACMA consulted with consumers and industry on the effectiveness of the determination and its ongoing usefulness for regulating 190 premium services. As a result of the review, the ACMA revoked the determination in October 2013.

## Community awareness

The ACMA's role includes informing consumers about communications products and services that are available to them, and informing industry and consumers about their communications rights and obligations.

## Cybersafety—the Cybersmart program

The ACMA manages a national cybersafety education program, a role conferred on it under Schedule 5 and Schedule 7 of the BSA.

In 2013–14, cybersafety community education activities centred on the:

- > continuing development and deployment of face-to-face internet safety presentations and teacher professional development for the Outreach program
- > development of cybersafety education programs and information material for schools, pre-service teachers and parents that are designed to develop skills required to use digital technologies with confidence and safety.

Throughout the reporting period, Cybersmart focused on maximising its reach into more Australian communities with customised online safety content. An important focus of the program has been the development of tailored resources for use in Indigenous communities (see the *Be Deadly Online—resources for Indigenous Australians* case study on page 123).

Based on research into how to educate parents about cybersafety, the ACMA also focused on expanding the range of resources aimed at this group. *Chatterbox*, an online video and conversation series with a range of related web-based resources, was developed to help parents deal with specific issues and behaviours relevant to the online world of children.

The Cybersmart website is the main portal for hosting and delivering cybersafety information and resources to students, parents and teachers. In 2013–14, the site had 1,115,848 unique visitors and 6,427,025 page views. Since the site's July 2009 launch, there have been over 3.95 million visitors and more than 28.4 million page views. During the reporting period, the website was expanded to incorporate a customised Indigenous portal with targeted information and advice, and a revamped gateway for parents. Its ordering facility was also refined.

In the reporting period, Cybersmart continued to engage directly with target audiences on social media platforms with audience-specific content, videos, expert interviews, and current cybersafety news and trends:

- > *The Cloud*, Cybersmart's Facebook page for teens, attracted an additional 3,000 likes, bringing the total for this page to 7,640 and reaching one million friends of fans of the page. The Parents page has attracted 4,030 likes since its launch on 26 February 2014.
- > The Cybersmart Twitter channel, aimed at educators and stakeholders, now has 3,442 followers.
- > YouTube and Vimeo are the main platforms used to host Cybersmart resources. These channels attracted more than 124,606 video views, with an estimated 380,551 minutes of video watched. Our most popular video resource, the short film *Tagged*, had over 53,228 views on YouTube/Vimeo and the *Tagged* character interviews attracted 12,243 views. Since *Tagged*'s September 2011 launch, there have been over 180,300 views of the film and more than 33,707 views of the character interview videos.
- > The Cybersmart blog educates parents through conversations about managing day-to-day cybersafety issues. During the reporting period, the blog received more than 19,888 page views.
- > The Cyberzine e-newsletter for schools, which provides current news about Cybersmart resources and cybersafety trends, has 4,797 subscribers to date.

Cybersmart continues to provide access to a Helpline service for young people that offers real-time online and telephone professional counselling and advice about issues such as cyberbullying. Delivered in partnership with Kids Helpline, the service is free and confidential. On cyberbullying issues, the Cybersmart program is currently the lead referral point for young people accessing the Kid's Helpline service. Throughout 2013–14, the Cybersmart Contact Centre provided an information service to answer queries about cybersafety issues, and to take bookings for Cybersmart Outreach presentations and orders for Cybersmart resources. More than 472,368 hard copy materials were delivered in 2013–14.

### Cybersmart Challenge activities

2013–14 saw active participation in Cybersmart Challenge activities. These resources comprise three distinct modules each targeting a specific cybersafety theme:

- > Cybersmart Detectives—unwanted online contact
- > Cybersmart Hero—cyberbullying
- > Cybersmart Networking—safe social networking.

These interactive school-based resources provide personalised cybersafety instruction for students in a safe online environment under the supervision of teachers and adult guides.

During 2013–14, 9,034 students participated in Cybersmart Challenge activities; more than 58,000 students have completed the program since 2009. Challenge also supported key national awareness campaigns by hosting activities in support of Safer Internet Day 2014, National Day of Action Against Bullying and Violence, Day for Daniel and National Child Protection Week.

### Cybersafety education resources in development

In 2013–14, Cybersmart commenced production of a new video resource for primary students aged 10–12. Titled *#gameon*, this episodic drama and the accompanying classroom resources explore the social consequences of online behaviour such as cyberbullying, excessive gaming, screen time overload and misusing personal information.

Cybersmart is also developing a series of online videos for parents that answer their most pressing cybersafety questions about children's use of digital technologies and social networking platforms. These videos will feature advice from cybersafety and mental health experts.

## Case study

# Be Deadly Online— resources for Indigenous Australians

On 11 April 2014, Cybersmart launched its newest educational resource, *Be Deadly Online*, developed specifically to meet the cybersafety needs of Indigenous Australians. Cybersmart worked in close collaboration with Indigenous communities throughout the country to develop the *Be Deadly Online* materials, which include a dedicated web portal, animation series and posters addressing key cybersafety issues. It is a resource developed in conjunction with Indigenous communities, for Indigenous communities.

*Be Deadly Online* is a set of resources including a website portal; three animations; and a series of posters, presentations and lesson plans that tackle issues of cyberbullying, sexting, digital reputation, and social media interactions and relationships. It has been widely recognised as an innovative, community-led education program that is paving the way for social groups to take control of their online activities and demonstrate positive online behaviour. In May, the resource was awarded a prestigious Gold Medal in the General Education category at the 2014 World Media Festival in Hamburg, Germany.

A Cybersmart Community Champions program has been conducted in conjunction with the *Be Deadly Online* resources. At the request of several Indigenous communities, Cybersmart conducted a series of workshops with Indigenous community members and service providers (for example, health care workers and police officers) about cybersafety issues, to equip them with knowledge and resources to become Cybersmart Community Champions. Over 200 community members have attended workshops in Western Australia, Queensland and Victoria.

The workshops covered a series of cybersafety issues, including social media interactions, the importance of keeping a person's digital reputation intact and the relationship between social media abuse and lateral violence. Community Champions are able to use the *Be Deadly Online* resources to take positive cybersafety messages to the wider community.

Feedback for the program has been positive. A Yarrabah teacher commented: 'I'm really pleased to see the way the ACMA team has actually taken on board things presented to them ... there's been times in the past where we have given input [to other provider's projects] and we don't see the input reflected back in other projects, but with this one ... I would say it's been about 100 per cent ... Well done to the ACMA team for listening to the input from the Indigenous communities ...'



*The Be Deadly Online resources, which include tailored animations, are designed to meet the cybersafety needs of Indigenous Australians.*

### Cybersmart Outreach program

The ACMA supports an extensive Cybersmart Outreach education program for school students, teachers and parents. In 2013–14:

- > 201,590 students, teachers and parents participated in our popular Internet Safety Awareness Presentations
- > 1,369 teachers attended Professional Development for Educators workshops held in schools and at Cybersmart-hosted events
- > 6,426 final-year teaching students participated in our Pre-Service Teacher Program
- > 1,429 teachers completed Connect.ed, our online interactive professional development program.

Several new programs were introduced:

- > Get Cyberstarted—a package of resources for schools awaiting a presentation.
- > Virtual Classrooms—bringing trainer-led online presentations into classrooms. In 2013–14, 10 events were held across Australia and attended by 22,670 students.
- > Chatterbox—an interactive online conversation for parents. In 2013–14, five episodes were produced, including topics on ‘Selfies’, ‘Trolling’ and ‘Inappropriate contact’.

### Key partnerships

The ACMA works productively with other organisations, both in Australia and overseas, to increase education and awareness about online safety. Partners include government agencies, not-for-profit organisations, corporations and community-based groups, with work ranging from distributing educational material, supporting events and community awareness-raising weeks to co-developing content.

In 2013–14, the ACMA entered into an MoU with The Alannah and Madeline Foundation (a national charity that protects Australian children from violence) to share information and collaborate on online safety matters. The ACMA also renewed existing MoUs with NetSafe (New Zealand’s online safety advisory body) and Childnet International, a global children’s charity based in the UK. Key partners include agencies involved in the government’s Consultative Working Group on Online Safety, as well as state and federal police forces and education departments.

Each year, the ACMA considers and grants a large number of requests to link to and use Cybersmart resources. Since December 2013, proposals to collaborate on significant online safety initiatives have been assessed under the Cybersmart Partnerships Guidelines. Over the past year, the ACMA joined with other organisations in raising online safety awareness during Safer Internet Day (11 February 2014), Day for Daniel (25 October 2013), National Day of Action Against Bullying and Violence (23 March 2014), Privacy Awareness Week (4–10 May 2014) and Stay Smart Online Week (2–6 June 2014). The ACMA also supported the Human Rights Commission’s 2013 BackMeUp Video Competition aimed at helping young people overcome cyberbullying.

### Digital citizens guide

On 25 July 2013, the ACMA launched its *Digital citizens guide* to help Australians stay safe and positive while participating in everyday online activities like socialising, shopping, banking and accessing information. The development of the guide was informed by research, community focus groups and in-depth interviews with a broad range of stakeholders.

The guide identifies three guiding principles for online interaction—‘engage positively’, ‘know your online world’ and ‘choose consciously’—and links them to free online safety resources. It is hosted on the Cybersmart website and has been welcomed and supported by industry and community partners including Google, Facebook, Telstra, Microsoft, the Commonwealth Bank, The Alannah and Madeline Foundation, Yahoo!7, the Interactive Games and Entertainment Association, the Internet Industry Association, the Australian Mobile Telecommunications Association, the Family Online Safety Institute, Bravehearts and the Centre for Internet Safety.

**Table 36: ACMA cybersafety initiatives**

Type of initiative	2013–14	Total to date
<b>Internet Safety Awareness presentations</b> <i>(available since January 2009)</i>		
Events	1,875	9,059
Attendees	201,590	956,677
<b>Professional Development workshops</b> <i>(available since January 2009)</i>		
Events	51	581
Attendees	1,369	14,369
<b>Pre-Service Teacher Program</b> <i>(available since October 2009)</i>		
Events	55	191
Attendees	6,426	19,836
<b>Total events</b>	<b>1,981</b>	<b>9,831</b>
<b>Total attendees</b>	<b>209,385</b>	<b>990,882</b>
<b>Connect.ed Online PD Program</b> <i>(available since April 2011)</i>		
Registered	3,689	13,317
Completed	1,429	3,992
<b>Interactive shared learning—Cybersmart Detectives</b> <i>(available since January 2008)</i>		
Schools	139	1,002
Students	5,562	39,136
<b>Interactive shared learning—Cybersmart Hero</b> <i>(available since June 2010)</i>		
Schools	60	306
Students	1,770	13,263
<b>Interactive shared learning—Cybersmart Networking</b> <i>(available since November 2011)</i>		
Schools	33	100
Students	1,702	5,656
<b>Total hard-copy resources delivered</b> <i>(Cybersmart resources have been available since April 2008)</i>	<b>472,368</b>	<b>7,407,499</b>

## Research and reporting

The research and reporting program—research**acma**—underpins the ACMA's work and decisions as an evidence-informed regulator. It contributes to the ACMA's regulatory advice and informs reviews and investigations. The research**acma** program has five broad areas of interest:

- > market developments
- > media content and culture
- > social and economic participation
- > citizen and consumer safeguards
- > regulatory best practice and development.

### Market developments

In the reporting period, the ACMA undertook a range of research on developments in communications and media markets, which included the communications report series.

#### Communications report series

The *Communications report 2012–13* was tabled in parliament on 11 December 2013. The report presented the latest intelligence, trend data and commentary on the Australian communications and media market in the context of convergence and the emerging digital economy.

On 18 December 2013, the ACMA held its communications report 'Our digital life' seminar with about 60 stakeholders from across the communications sector, industry in general, government and academia participating either in person or via live webcast.

As part of the communications report work program, the ACMA also released two reports that focused on the themes of convergence and the developing digital economy in more detail:

- > *Report 1—Australian SMEs in the digital economy*. Released on 22 January 2014, this report examined SMEs' engagement in the digital economy as both users and suppliers of online services, and how they apply digital communications to their business processes.

- > *Report 2—Cloud computing in Australia*. Released on 24 March 2014, this report examined developments in the supply and demand for cloud computing services, including consumer awareness and understanding of these services, related concerns and factors likely to impact on the future of cloud computing services in Australia.

The series collectively received extensive coverage in social media and news forums, with thousands of views of related YouTube videos and ACMA blogs, and retweets with a potential following in the hundreds of thousands. The reports continue to provide a critical source of information for decision-makers across government and industry.

#### researchacma snapshot series

In July 2013, the ACMA introduced a series of research snapshots—short, fit-for-purpose research pieces on topics of relevance to the ACMA and its broad stakeholder base. For an overview of snapshots released to date and related key findings, see the *researchacma snapshot series* case study on page 129.

#### Spectrum research program

In 2012–13, the ACMA commissioned two key spectrum research projects to better understand the mobile communications market and demand for wireless access services:

- > *The economic impacts of mobile broadband on the Australian economy, from 2006 to 2013*, published on 3 April 2014
- > a mobile network capacity forecasting model, released for public consultation in May 2014.

*The economic impacts of mobile broadband* report articulates the value of the growth of mobile broadband to businesses and the overall Australian economy between 2006 and 2013. It found:

- > mobile broadband increased the growth rate of the Australian economy by 0.28 per cent each year from 2007 to 2013
- > in 2013, mobile broadband led to an estimated increase in Australia's economic activity of \$33.8 billion
- > productivity of the mobile sector increased by 11.3 per cent per year from 2006 to 2013.

The mobile network model project forecasts future mobile network capacity requirements, which will be a key input into the ACMA's mobile broadband strategy.

These projects, when considered in conjunction with ongoing spectrum planning activities, give the ACMA a greater understanding of current and emerging needs for spectrum, and how it can facilitate spectrum use to maximise public benefit.

### **Media content and culture**

During the reporting period, the ACMA undertook research to help inform its obligations to reflect community standards in the delivery of media and communications services.

#### **Community attitudes to gambling advertising in sports broadcasts**

In May 2013, the ACMA commissioned research to identify community attitudes to gambling advertising during sports broadcasts. Findings helped the Authority to register five industry codes of practice covering the promotion of betting odds during live sports broadcasts. The research report was published in July 2013.

#### **Community attitudes to local content in regional areas**

In May 2013, the ACMA commissioned research on regional Australians' media preferences and attitudes to local content. The research was included in the ACMA's *Regional commercial television local content investigation* report, which was released by the minister on 13 March 2014.

#### **Regional Australian television news**

Research analysing regional television audience ratings for evening news services between 2003 and 2013 was also released as part of the *Regional commercial television local content investigation* report.

#### **Community research informing the CCSi**

Community research was commissioned in May 2013 on Australians' attitudes to and expectations of community safeguards in broadcast codes of practice to inform the ACMA's *Contemporary community safeguards inquiry*. The report of that inquiry was published in March 2014 and included the report of the community research.

### **Children's television**

#### **Survey of parents and carers**

In April 2014, the ACMA commissioned research to understand parental preferences and attitudes about children's television, including how parents find out about children's television programs and the rules governing children's viewing. The research will be published in the next reporting period.

#### **Analysis of children's television viewing**

The ACMA undertook an analysis of audience and ratings data to update its understanding of children's viewing of free-to-air, commercial and subscription television. The research will be published in the next reporting period.

### **Social and economic participation**

The ACMA also undertakes research to identify regulatory settings and interventions to help citizens participate in the offline and online environment.

#### **Malware and harmful software—consumer views**

In the second half of 2012, the ACMA commissioned research into Australians' views on threats from malware and the use of protections against harmful software. Results were used to inform the AISI, under which participating internet providers are notified of malware infections affecting their customers. The research was published in October 2013.

#### **Unsolicited telemarketing calls and spam—consumer experiences**

This research was commissioned in 2012, alongside the *Malware and harmful software* research. Results identified consumer experiences with unsolicited telemarketing calls and spam (via email and SMS), and informed the ACMA's compliance and enforcement activities for unsolicited electronic communications. The findings were published in November 2013.

#### **Digital footprints and identities**

The ACMA published its *Digital footprints and identities* research in November 2013. The findings show how Australians balance the risks and rewards of engaging in the online world and the steps they take to manage the use of their information online.

#### **Digital citizens guide—research**

Community and stakeholder research was commissioned in 2013 to test and refine the formulation of the ACMA's *Digital citizens guide*. The research was published in August 2013.



### **Cybersafety and social networking services**

The *Like, post, share—Young Australians' experience of social media* research explored the perceptions children, young people and parents have of online risks and opportunities, with an emphasis on what strategies young Australians use to protect themselves online. The qualitative and quantitative research was undertaken in 2011 and 2012, respectively, with the findings published in August 2013.

### **Connected parents**

In February 2014, the ACMA published its study investigating parents' cybersafety education needs. *Connected parents in the cybersafety age* identified the online safety concerns and information needs of caregivers of children and young people aged eight to 17 years.

### **Cybersafety Indigenous program—case studies and evaluation framework**

In April 2014, the ACMA commissioned an evaluation of the Cybersmart Indigenous Program (CIP). The research comprises the preparation of case studies to document and analyse the development and implementation of the CIP train-the-trainer workshops.

### **Cybersmart kids educational film—qualitative research**

In May 2014, the ACMA commissioned qualitative research with teachers and young people to pre-test a new Cybersmart kids educational film resource. Findings will help inform the development of teaching resources and lesson plans associated with the film.

### **Citizen and consumer safeguards**

This research focus area continues the ACMA's evidence-informed approach to understanding Australians' experiences in managing unsolicited communications and assessing the effectiveness of telecommunications safeguards.

### **Reconnecting the Customer—tracking consumer outcomes**

In February 2013, the ACMA commissioned research to evaluate the effectiveness of the changes to the TCP Code and other outcomes of the RTC inquiry in the context of broader and ongoing changes in the telecommunications sector. Quantitative and qualitative research was undertaken, and the report published in April 2014.

### **Mobile calls to 13 numbers—community research**

In September 2013, the ACMA commissioned research on consumers' use of, and potential concerns with, 13 numbers. The quantitative research was completed in November 2013 and the report will be published early in the next reporting period.

### **SME and digital business research**

In March 2014, the ACMA commissioned research to understand the knowledge, attitudes and behaviours that inform SME business decisions on the use of digital communication technologies. The research will be published in the next reporting period.

### **Consumer use of, and attitudes to, communications and online participation**

In March 2014, the ACMA commissioned a survey of household consumers covering attitudes to, and take-up of, communications and online services. Survey results will be released in the next reporting period as part of the communications report work program.

### **Regulatory best practice and development**

In this research focus area, the ACMA continues its analysis of the effectiveness and costs and benefits of current regulation, and identifies emerging issues that may require regulatory or non-regulatory solutions.

### **Cross-border regulatory strategies**

*Cross-border regulatory strategies—case studies and regulatory practice for a networked economy and society* was released in October 2013. The study explored deployment of IP networks, and the digitisation of content and communications that have implications for how communications is regulated in Australia and internationally. Increasingly, the cross-border nature of online activity requires that regulatory tools in place at the national level be linked to multi-level, international regulatory strategies. The paper discusses the use of these strategies in three areas of regulatory activity:

- > digital information management
- > unsolicited communications
- > investigation of online child sexual abuse material.

## Case study

# researchacma snapshot series

In July 2013, the ACMA launched its research**acma** snapshot series—short, fit-for-purpose research updates on key issues of relevance to the ACMA and its stakeholders.

The snapshot format targets research outputs to meet the preferences of different audiences and distribution channels. This new style of reporting allows for a more dynamic representation of ACMA research in blog, video and infographic format, and uses more visually appealing charts and figures.

Snapshots released during 2013–14 included:

- > *Australians cut the cord*, released 5 July 2013. Highlights include:
  - > close to 3.3 million Australians aged 18 and over were mobile phone-only users at December 2012
  - > the number of mobile phone-only users has grown by 20 per cent since December 2011.
- > *The connected business*, released 15 October 2013. Highlights include:
  - > 70 per cent of Australian businesses paid for employee access to mobile broadband devices at June 2013
  - > 92 per cent of Australian businesses use mobile broadband devices for phone calls, 86 per cent for emails and 82 per cent for general internet.
- > *Home is where the work is—the digital worker*, released 16 October 2013. Highlights include:
  - > 5.6 million Australians aged 18 and over use the internet to work away from the office
  - > 2.8 million Australians aged 18 and over work away from the office at least two days a week.
- > *Mobile apps—putting the ‘smart’ in smartphones*, released 20 November 2013. Highlights include:
  - > 11.2 million Australians aged 18 and over had a smartphone at June 2013, an increase of 29 per cent from the previous year
  - > 8.9 million Australians aged 18 and over downloaded mobile apps in the six months to May 2013.
- > *m-Commerce—mobile transactions in Australia*, released 24 June 2014. Highlights include:
  - > 3.4 million Australians aged 18 years and over used an m-commerce service during December 2013, an increase of 448 per cent compared to December 2010
  - > transferring funds was the most common transactional m-commerce activity, undertaken by 77 per cent of m-commerce users during December 2013.

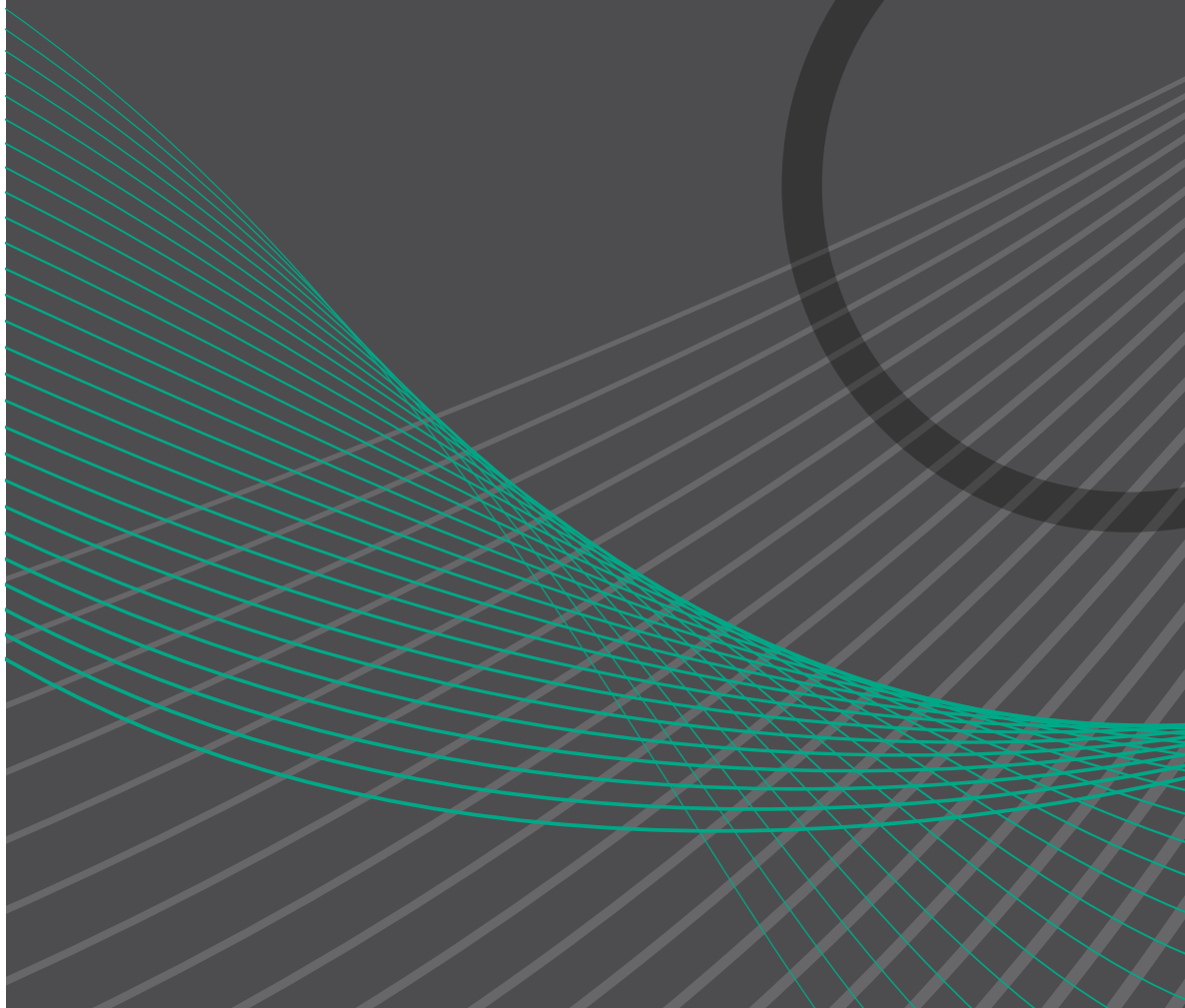
The snapshot series format has had great success externally, collectively receiving 230 social media mentions, 3,000 Facebook views, over 900 views of YouTube videos, nearly 5,000 views of related ACMA blogs and 230 retweets.

The research**acma** snapshots are available on the ACMA website.



# Chapter 4

Managing and developing  
our resources



Chapter 4 details the ACMA's staffing arrangements, governance, information management, communications and engagement, and financial and property management.

The ACMA continues to focus on strengthening its planning and resource management frameworks.

## Governance

The ACMA operates under the *Financial Management and Accountability Act 1997* (FMA Act), where responsibility for governance and management of the ACMA resides with the Chairman as the Chief Executive Officer. The ACMA Chairman is also the head of the ACMA for the purposes of the *Public Service Act 1999* and has the rights, duties and powers of an employer for Australian Public Service employees in the ACMA.

Throughout 2013–14, the ACMA's Executive Group assisted the Chairman in his role as the Chief Executive Officer of the ACMA by advising on issues of high-level corporate or strategic significance. The Executive Group comprises the Chairman, Deputy Chairman, full-time Member and the five Senior Executive Service (SES) Band 2 General Managers. The ACMA also has a number of other high-level committees overseeing finance and resource management, compliance and enforcement, and information technology.

## Corporate planning

The ACMA corporate plan is a high-level document that the agency must prepare and submit to the minister each year under section 56 of the ACMA Act. The plan covers a three-year period and identifies the ACMA's objectives and priorities, as well as the necessary strategies to achieve them. It is also reflected at an individual level in performance management plans agreed between staff members and supervisors. In 2013–14, the ACMA undertook a major review of its strategic priorities and began implementing a new integrated planning and reporting framework. A key element of this framework is the ACMA's outcomes-focused corporate plan, which seeks to:

- > drive effectiveness by focusing on and measuring the outcomes that are important to the ACMA and its stakeholders
- > communicate the value that the ACMA delivers to the community by defining KPIs for each outcome and reporting these to the public
- > drive internal alignment, performance and accountability by appropriately reflecting outcomes and KPIs defined in the corporate plan in the internal business plans and staff performance agreements.

Implementation of this integrated framework will continue in 2014–15 and beyond. The current corporate plan covers 2013–16 and is available on the ACMA website.

### **Risk management**

The ACMA is committed to promoting a culture that is risk-aware, makes decisions based on a structured and rigorous approach to risk management and encourages informed risk-taking, including by anticipating potential barriers to achieving agency outcomes.

The Executive Group focuses on managing and reviewing key business risks. In 2013–14, the ACMA undertook an intensive process of reviewing and updating these risks, and enhancing the alignment between identified key business- and division-level risks and the internal audit program. The Audit Committee plays an active role in providing assurance around identified key business- and division-level risks and the operation of the broader Risk Management Framework. The ACMA also actively participates in Comcover's Benchmarking Risk Management Program.

The ACMA's fraud control arrangements form part of its Risk Management Framework and are an important component of maintaining a risk management culture. The ACMA has appropriate fraud prevention, detection, investigation, reporting, and data collection procedures and processes in place. In 2013–14, the ACMA updated its Fraud Control Plan, which complies with the Commonwealth Fraud Control Guidelines 2011.

### **Audit**

The ACMA Audit Committee provides independent advice to the Chairman on the ACMA's risk, control and compliance framework, as well as its external accountability responsibilities. During 2013–14, the Audit Committee continued to look at key corporate and regulatory processes.

The ACMA's internal audit services are provided by Protiviti and overseen by the Audit Committee. The 2013–14 Internal Audit Plan was developed by taking into account key business risks as well as significant emerging risks. The plan was developed in consultation with senior management and the Audit Committee, and all internal audit reports were reviewed by the Audit Committee.

During the reporting period, 10 audits were completed. The implementation of recommendations was monitored, with progress reports provided to the Audit Committee.

For more information about the ACMA's Audit Committee, see Appendix 2.

### **Security**

The ACMA continued strengthening its protective security functions in line with the requirements of the Protective Security Policy Framework and Information Security Manual. The Security Advisory Committee oversees protective security activities so the ACMA balances business and protective security requirements within the agency's security risk profile and operating environment.

The ACMA has updated its internal risk management framework based on AS/NZS ISO 31000:2009 *Risk Management: Principles and Guidelines*, including the protective security risk documentation. At an operational level, the ongoing improvement of security-related documentation, processes and controls included implementing the Australian Signals Directorate's 'Top Four' as part of the desktop refresh project.

All statutory reporting requirements were met in 2013–14, including participation in the Protective Security Policy Framework compliance reporting conducted by the Attorney-General's Department.

## Our people

The ACMA employed 517 staff at 30 June 2014, compared with 580 at 30 June 2013. Comparative staffing details are given in Appendix 3.

Employment arrangements and conditions of work for all non-SES employees of the ACMA are determined by the *ACMA Enterprise Agreement 2011–2014* (the ACMA Agreement). Salary ranges available under the ACMA Agreement are in Appendix 3.

Terms and conditions for the ACMA's 17 substantive SES employees are contained in common law contracts.

At 30 June 2014, the salary ranges for employees on common law contracts were:

- > SES1—\$153,157 to \$181,259
- > SES2—\$194,693 to \$214,162.

Non-salary benefits provided to employees on common law arrangements may include:

- > performance bonus
- > retention bonus
- > mobile telephone
- > airline club membership
- > residential broadband service
- > car allowance
- > parking
- > laptop or allowance and printer for use at home
- > outplacement assistance/financial counselling if deemed excess.

At 30 June 2014, 22 employees at ACMA Level 4, ACMA Level 6, Executive Level 1 (EL1) or Executive Level 2 (EL2) had individual flexibility arrangements (IFAs) for additional salary or retention bonuses. The highest additional salary increases the EL2 maximum to \$146,898 per annum and the EL1 maximum to \$128,147 per annum. The maximum retention bonus was \$10,000 per annum.

## Performance payments

Performance pay is available to employees at EL2 level under the ACMA Agreement and to SES employees under common law contracts. Total performance pay paid for 2013–14 for EL2 and SES employees is set out in Table 37.

## Workplace Diversity Program

The ACMA Workplace Diversity Program seeks to promote understanding of diversity in the ACMA's workforce, work environment, culture and work practices. This includes:

- > attracting and retaining staff from diverse backgrounds
- > embedding diversity into workplace arrangements
- > incorporating diversity into ACMA policies, programs and services.

The ACMA recognises and values individual differences and aims to raise awareness of the importance of workplace diversity by:

- > including the acknowledgment and acceptance/encouragement of diversity in organisational and individual performance plans
- > making the ability to integrate workplace diversity principles into everyday management practice a key selection criteria for management positions
- > making information available to new employees in induction material
- > providing information to all staff through the agency's intranet.

On 30 June 2014, the ACMA's employee profile was:

- > total employees—517
- > number of women—277
- > number of staff from a non-English-speaking background—70
- > number of staff with a disability—5
- > number of Indigenous staff—2.

## Changes to disability reporting in annual reports

The Commonwealth Disability Strategy has been overtaken by a new National Disability Strategy 2010–2020, which sets out a 10-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high-level two-yearly report will track progress against each of the six outcome areas of the strategy and show how people with disability are faring. The first of these reports will be available in 2014 at [fahcsia.gov.au](http://fahcsia.gov.au).

## The ACMA Agency Multicultural Plan (AMP)

The ACMA AMP identifies a range of actions to help it make communications and media work for all Australians by:

- > delivering on its mandated outcomes
- > discharging its statutory obligations
- > transforming itself into a resilient, learning organisation that is responsive to the numerous pressures for change.

In 2013–14, the ACMA addressed each of the six core dimensions of the Multicultural Access and Equity Policy for leadership, engagements, performance, capability, responsiveness and openness.

The ACMA will continue to use its AMP to inform its policy development, program delivery and regulatory decision-making in areas where multicultural access and equity is a necessary consideration. The AMP will also be used to set out a range of objectives to make ACMA staff aware of the needs of culturally and linguistically diverse (CALD) citizens and consumers.

Further information on the ACMA AMP is on the ACMA website.

## Ethical standards

The ACMA continued to promote the importance of ethical standards through its Chief Executive Instructions (CEIs), People Management Instructions (PMIs) and training programs. In particular, the ACMA promotes ethical standards and makes staff aware of their obligations through its CEI on gifts, benefits and hospitality; and its PMIs and associated training on Public Interests Disclosure and Identifying and Managing Conflicts of Interest.

Staff continued to be advised and reminded of their individual obligations under the APS Values and Code of Conduct through an online induction training program, an online managers' handbook and selection criteria for all ACMA position descriptions. Adherence to the ACMA and APS Values and APS Code of Conduct is a mandatory expectation in all performance agreements. Staff awareness of the APS Values and Code of Conduct is monitored through staff surveys.

## Health and safety

The ACMA is committed to providing its workers with a healthy and safe working environment. During 2013–14, the ACMA continued to review and update policies and practices to reflect governing legislation and applicable codes of practice, and to make this information more accessible to its workers.

The ACMA actively supports the safe and timely return to work of injured or ill employees, whether or not the injury or illness is work-related. This includes through implementing early intervention and engaging rehabilitation providers to facilitate the return-to-work process.

**Table 37: Performance payments 2013–14**

Employee level	Employees paid	Total performance pay (\$)	Minimum bonus (\$)	Maximum bonus (\$)	Average bonus (\$)
EL2	78	669,367.01	1,438.93	15,536.52	8,581.63
SES Band 1	12	149,930.74	8,294.09	17,262.80	12,494.23
SES Band 2	5	88,913.53	14,991.34	21,416.20	17,782.71
<b>Total</b>	<b>95</b>	<b>908,211.2</b>			

*Note: Of the 101 eligible EL2-level staff, 78 were paid a bonus.*

A Health and Safety Representative Forum and Harassment Contact Officer Network continue to operate within the ACMA and provide effective avenues to consult and consider new ideas about work health and safety. A number of EL2 employees are Work Health and Safety Champions, and actively promote health and wellbeing initiatives. The National Work Health and Safety Committee met on four occasions during the reporting period.

During the second half of 2013, both the Canberra and Melbourne offices relocated to new premises. Workstation assessments were undertaken for all relocating staff. A number of sit/stand workstations were provided throughout both offices and staff were trained in their use.

Regular workplace inspections were undertaken in all ACMA workplaces to identify hazards and potential hazards, and to review current hazard control measures. These inspections were undertaken by Health and Safety Representatives, and Work Health and Safety Champions.

Health and safety information is provided to all new employees through the ACMA's e-learning induction program. In addition, the ACMA provided the following initiatives during the reporting period:

- > Health Week, incorporating seminars, health assessments and work-based activities
- > flu vaccinations
- > assistance with costs associated with eye-testing and purchase of glasses for screen-based use
- > Employee Assistance Program
- > e-learning health and safety modules as induction tools and ongoing resources
- > mental health awareness seminars
- > a monthly newsletter.

The ACMA strongly encourages the reporting of workplace incidents and identified workplace hazards. During the reporting period, there were 45 incident reports submitted by employees, which was an increase on the previous reporting period.

No notifiable incidents were reported to Comcare, no work health and safety investigations were conducted, and no notices were given to the ACMA under Part 10 of the *Work Health and Safety Act 2011*.

### Consultation and workplace relations

Staff consultative bodies are established under the ACMA Agreement.

The National Consultative Forum deals primarily with the key strategic and change issues that affect the ACMA. Convened by the ACMA Deputy Chairman, it comprises management, union and employee representatives. The National Consultation Forum met three times in the reporting period to discuss a number of important issues, including strategic and workforce planning, accommodation changes, implementation of outcomes from the examination of professional streams, the ACMA organisational restructure and the 2014 enterprise agreement process.

Local consultative forums, comprising management, union and employee representatives, and chaired by a senior manager, are established in each of the three principal offices—Canberra, Melbourne and Sydney—as well as for the agency's Operations function. Each of the forums met at least once during the reporting period, with the frequency of meetings determined by the number of issues being considered. Local consultative forums can refer matters with organisation-wide implications to the National Consultative Forum.

Approaches used to involve employees in decision-making and information-sharing include all-staff meetings, planning sessions, branch and section meetings, focus groups and the use of the ACMA intranet to disseminate information.

**Table 38: Health and wellbeing initiatives, 2013–14**

Initiative	Utilisation rate
Influenza vaccination	47%
Health check	25%
Employee assistance	9.26%



The ACMA participates in the Australian Public Service Commission's (APSC) State of the Service employee census, which enables the ACMA to collect employee feedback to help develop strategies to address specific workforce issues. About 67 per cent of ACMA staff participated in the 2013 census.

### Workforce planning

During 2013–14, the ACMA continued to enhance its workforce planning capabilities. Key activities included further refining the agency's job family and capabilities frameworks, as well as developing specific leadership expectations and capabilities to include in these frameworks.

The agency's workforce plan was updated to reflect key changes in the ACMA workforce and broader environment, and to identify and address the agency's key workforce challenges. The ACMA's workforce plan aims to guarantee timely access to strategically critical capabilities and create a more agile, engaged and high-performing workforce. Specific workforce-planning goals include:

- > attracting and retaining staff with experience, expertise and business-critical skills
- > developing workforce agility to maximise the capability of existing staff by moving them with the agency to priority areas and to manage workload functions
- > continuing to develop and broaden the capabilities of our employees
- > achieving this workforce retention and agility in the context of meeting our affordable staffing profile.

The current workforce plan covers the period 2012–15 and is available on the ACMA intranet.

### People and capability development

The ACMA is committed to maintaining access to the capabilities it needs to deliver on its outcomes. It does this by:

- > identifying its critical people and agency capabilities
- > developing individual staff
- > making sure that individual and agency skills and knowledge transfer is understood and supported, along with individual staff professional and career development interests.

This commitment is further supported through the goals and strategies outlined in the agency's workforce plan.

The ACMA's net expenditure in 2013–14 for employee learning and development was \$437,664. This figure includes staff attendance at general training, conferences and seminars, and studies assistance. Staff attended a range of learning and development activities, from public service writing courses to industry-related conferences.

During the year, 41 employees were supported under the ACMA's Studies Assistance Guidelines. Employees undertook tertiary qualifications in specialised fields such as accounting, law, management, public policy and economics.

### The ACMA Mentoring Program

The ACMA Mentoring Program was launched in 2011 and 75 mentoring partnerships have since been formed. Feedback from program participants and senior ACMA managers is very positive.

The program provides opportunities for staff to make connections and form relationships across the agency, taking advantage of the diversity and experience on offer. Interest and involvement in the program covers a diverse range of classifications and positions within the agency with strong support from the leadership group.

In 2014, the program was expanded to include external mentors, with five mentors from the ACCC matched with ACMA mentees, making a total of 11 mentoring partnerships for the year. The external mentor initiative is designed to gain exposure to broader perspectives and challenges, and ultimately to enhance participants' capacity to manage the challenges and opportunities that exist within the wider APS environment. Feedback from both agencies on this expansion initiative has been very positive.

## Outcomes of the examination of ACMA professional streams

The ACMA is committed to attracting and retaining the professional capabilities it needs to undertake its work. In 2012, the agency undertook an examination of its professional streams to confirm that strategies were in place (or being implemented) to guarantee current and future access to critical capabilities. As a result of that examination, the Chairman approved a number of outcomes to implement for staff occupying roles in the ICT and engineering and technical job families.

Implementation of these outcomes was undertaken during 2013–14, including by establishing separate professional streams, expanded broadband facilities, and more structured learning and development arrangements for staff in these job families.

## Performance management

The ACMA's performance management framework is designed to help it achieve organisational outcomes and outputs by managing employee performance, supporting employees in the workplace, and maintaining healthy and sustainable work practices. The framework specifically benefits employees by clarifying expectations, enabling improved individual work performance, increasing skills and knowledge, and enhancing career opportunities.

Individual performance and development plans identify the key targets and performance expectations needed to achieve the objectives of both area business plans and the ACMA corporate plan. Time frames within the framework align with the ACMA's annual planning cycle and allow for effective communication and formal feedback at regular intervals.

## Creating Knowledge program

Established in 2007, Creating Knowledge is a strategic learning program designed to facilitate the sharing of knowledge and expertise across the organisation, and build knowledge of the external environment.

The program brings interesting and relevant speakers from varying backgrounds to speak on a range of topics from health and wellbeing to public policy and leadership. The 2013–14 program was well attended, and included Jeff Kennett speaking about the work of *beyondblue* and Professor Jeff Brand discussing the latest research on the modern gamer.

During the reporting period, six Creating Knowledge events were held, with an average of 77 ACMA staff attending each event.

## Client Service Charter

The Client Service Charter outlines the ACMA's goals and the broad range of services it provides. The charter provides advice on how clients can contact the ACMA, service standards and complaints procedures. It also reflects the ACMA's commitment to providing efficient, effective and relevant services delivered in an environment of mutual respect. See Table 39 for a summary of client service complaints and compliments in 2013–14.

Table 39: Summary of client service complaints and compliments, 2013–14

Description	Total no. of complaints*	Total no. of compliments
Courtesy and respect	1	–
Service delivery of individual staff members	1	1
Response time to complaint	–	–
Accessible information	5	–

\*Indicates total number of complaints received (not assessed against service commitments or standards in the Client Service Charter).

## Information management

### Transformation agenda

The reporting period saw the continued rollout of major transformation projects, focusing on rationalising and enhancing business systems. A series of business systems was delivered during the year, including:

- > enabling external spectrum assigners to manage spectrum licences online
- > delivering a significantly enhanced website with a modern look and feel
- > providing the Customer Relationship Management platform and communications technology for the new Customer Service Centre (see case study on page 140)
- > extending the Customer Relationship Management platform and integrating with new external forms technology to allow licensees to engage online with the ACMA when lodging compliance information.

The ICT transformation has also significantly improved the productivity and efficiency of the agency's ICT platform. The ACMA's results from the Australian Government Information Management Office (AGIMO) annual ICT benchmark of all federal government entities reinforced the benefits of this transformation agenda.

### Highlights

#### Spectrum management

Work has continued on the development of the new spectrum management system, including the:

- > successful reissue of spectrum licences in the 1800 MHz band
- > successful trading of licences in the 1800 MHz and 2.3 GHz bands
- > use of B2G connectivity to enable automated upload of device re-registrations for the 800 and 1800 MHz bands
- > completion of requirements and design for the apparatus licensing system functionality.

#### Managing cases and complaints

The ACMA has now established the basis for standardised case management tools across the agency. This includes:

- > implementing the infrastructure, architecture and build of the ACMA's new generation eBusiness portal
- > extending the eBusiness solution to deliver compliance reporting and monitoring systems for regional radio and broadcaster captioning compliance
- > extending the end-to-end case management and CRM system to facilitate the creation and operational support of an ACMA Customer Service Centre
- > delivering a new e-Forms solution that facilitates the capture, analysis and submission of electronic data from customers, industry and citizens alike
- > delivering an integrated end-to-end case management system for anti-spam complaints and investigations
- > preparing for a replacement compliance and field operations investigation system
- > realising the full benefits of the standardised case management platform for internet and gambling complaints, enabling the equivalent of what was previously a year's worth of work to be undertaken every month.

### **eBusiness and Gov 2.0 engagement**

The ACMA has made advances in systems designed to facilitate interaction with external audiences, particularly consumers and industry. This includes:

- > expanded use of eBusiness user authentication, with a two-fold increase of eBusiness systems provided by the ACMA that use the standard government AUSKey solution.
- > continued evolution of the ACMA website, with a new homepage design and trial use of an interactive online tool to facilitate G2B (government to business) and G2C (government to consumer) consultations.

### **Information management and staff productivity**

- > During the reporting period, the ACMA continued to modernise and improve the way it handles information. This included: improved records compliance and the transition to a new single records management platform
- > incremental advances in user-managed intranet collaboration tools
- > the integration of records management with case management systems.

### **Technology, practices and architecture**

Achievements during 2013–14 included the ongoing development of infrastructure and architecture to improve the cost, reliability and agility of ACMA systems. For example:

- > successfully managing the relocation of phones and desktops as part of the Canberra and Melbourne office moves
- > relocating the ACMA's server and communications infrastructure to the new Canberra premises
- > deploying new PCs to all staff that comply with the ASD Top Four Mitigation Strategies and align with the Whole-of-Government Common Operating Environment (COE) standards. The new PCs are also significantly faster, quieter and comply with green initiatives to reduce the cost and environmental impact of IT
- > upgrading communications links between ACMA offices to enable greater use of videoconferencing and other collaboration tools
- > evolving service-oriented applications architecture to integrate processes and data across enterprise systems.

## Case study

# Customer Service Centre

In 2013–14, the ACMA set out to transform the way it interacts with its customers. In a new approach to customer service and client management, it created a Customer Service Centre within its Communications Infrastructure Division (CID).

CID is the largest division in the ACMA—it provides a wide range of products and services, and has a significant customer service focus.

Previously, customers had more than 100 options for contacting the ACMA. Feedback and experience confirmed that having such a wide choice made it more difficult for a customer to find the right person the first time. These pathways were consolidated into the Customer Service Centre.

The centre began operating on 3 March 2014, offering a single phone number—1300 850 115—and email address—info@acma.gov.au.

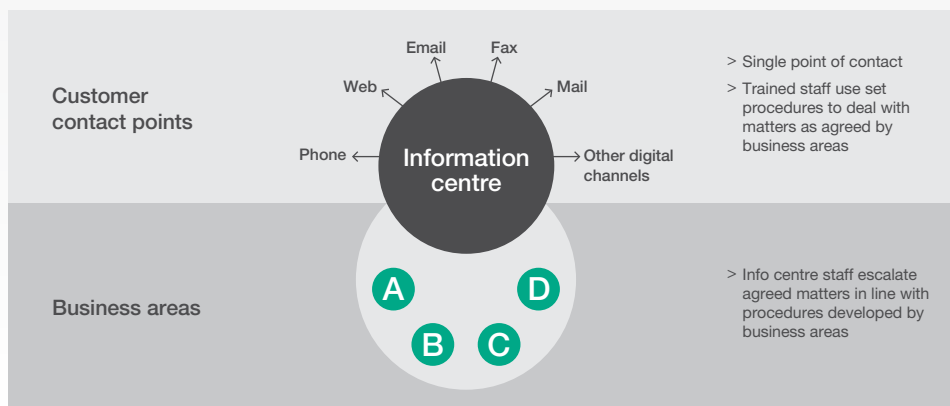
It provides a seamless single point of contact for customers seeking information, advice or services from CID. This can include:

- > applying for a licence
- > reporting interference to radiocommunications services or television or radio reception
- > buying a smarnumber
- > enquiring about cabling.

Strengthening the ACMA's knowledge base, the centre brings together staff with a strong understanding of CID's products and services. Creating a considerable repository of the ACMA's products and services means customers can expect an even higher quality of service.

In the next reporting period, the ACMA will expand the scope of the centre across the organisation, creating a single point of contact for customers seeking any product or service.

## Centralised customer contact model



## Communications and engagement

Major engagement campaigns undertaken during the reporting period included the IMR Standard, Mobile Network Performance Forum, Regulatory Compliance Mark, TCP Code, new frequency arrangements for wireless microphones, jamming devices and mobile broadband research.

Many of the campaign activities were run through the new ACMA website launched in May 2013. The new site has made it possible for the agency to run well-planned, low-cost engagements with rich, vibrant content targeted at relevant users in a way that was not previously achievable. Content and services are delivered on any device at any time, using a variety of formats from blogs, tweets and infographics to video, webcasts, webinars and other rich-media presentations.

## Social media

In 2013–14, the ACMA's social media use became more sophisticated, increasing audiences and reach across the major channels—Facebook, Twitter, YouTube, LinkedIn, Pinterest, Instagram and Tumblr. The growth and development of the ACMA's social media offering allowed it to target specific audiences, speak directly with the public and create a multi-channel approach to its campaigns.

Social media has become crucial to the ACMA's business objectives. It plays a vital role in a number of strategies to engage industry and consumer stakeholders to deliver outcomes that are transparent, coherent and consistent.

acma.gov.au  
@acma\_operations

### The real deal or a **DODGY DEVICE** ?

Thinking about buying a cordless phone, two-way radio, wireless modem or other radiocommunications device online or while overseas? These products are all subject to legal requirements to prevent interference. So, STOP, THINK and QUESTION before you buy.

Research the product	Suss out the seller	Know the consequences
<p><b>?</b> Can it be legally used in Australia? Find reviews from other buyers and make sure it's not a high-risk item like a mobile repeater, jammer or booster.</p> <p><b>\$</b> Is the deal too good to be true? If the product is far cheaper than known reputable brands, it may not have been tested to Australian technical standards.</p> <p><b>✓</b> Does it meet Australian regulatory requirements? Question the seller. Be wary if they don't adequately address your concerns.</p>	<p><b>🌐</b> Where is the supplier located? Devices made for overseas markets may use the incorrect frequency in Australia and interfere with important services.</p> <p><b>★</b> Does the seller look reputable? Only buy from websites that you know and trust. Check recommendations and feedback from other customers.</p>	<p><b>📶</b> Will you disrupt important communications systems? Operating an illegal device could block reception in an emergency and put lives at risk.</p> <p><b>👛</b> Will you be out of pocket? If you buy a dodgy device from overseas, it's possible that you won't get your money back.</p> <p><b>🗑️</b> Fancy a fine or jail time? There's a range of penalties if you cause interference—the courts could hit you with a hefty fine or you could even go to prison.</p>

**DON'T** get caught out with a dodgy device—check the ACMA website or follow us on Twitter for more info.

Our infographic on dodgy online devices was seen by 24,900 unique Facebook users.

## Email outreach

During the year, the ACMA continued to use tailored email outreach campaigns to meet specific needs of stakeholders. The email outreach portfolio includes *engage*—a monthly e-bulletin of general interest—as well as campaign-based e-bulletins on issues such as new arrangements for wireless microphones, marine radio, 400 MHz band changes and international regulatory news.

## Media engagement

In 2013–14, the ACMA issued 80 media releases. It also conducted joint media activities with other agencies and organisations, including the AFP, the ACCC, the Office of the Australian Privacy Commissioner and Microsoft.

The ACMA actively focuses on building relationships with key media personnel. This has included informal catch-ups with journalists and communications professionals, and backgrounder briefings. This program has contributed to the generally healthy relationships the ACMA enjoys with members of the media.

## Award nominations

In March 2014, the ACMA received three nominations in the 2014 CommsCon Awards for PR and communications professionals. The awards are hosted by *Mumbrella*, a leading Australian online media and marketing publication. In announcing the shortlist for the awards, *Mumbrella* noted its three nominations made the ACMA the ‘best recognised governmental body’.

## Financial management

The ACMA continues to enhance its financial management. During 2013–14, further adjustments to reporting frameworks improved access to, and provision of, quality financial information for internal and external stakeholders. The ACMA continues to review key areas within the financial management remit so that all ACMA processes align with legislative changes and best practice.

The ACMA met all of its statutory budgeting and reporting requirements and deadlines as set down by the Department of Finance and Deregulation and the Australian National Audit Office (ANAO).

Key achievements during the year included:

- > further enhancing the forward-year budget allocation process
- > improving accessibility to the Financial Management Information System
- > further enhancing the online Broadcast Licence Fee returns system, to improve ease of use
- > implementing the new online Eligible Revenue Returns portal, enabling carriers to more easily meet their legislative obligations.

The ACMA achieved an operating surplus in 2013–14 as a result of supplier and employment cost savings, and other revenue increases.

The ACMA’s financial statements for 2013–14 were prepared in accordance with section 57 of the FMA Act and the Finance Minister’s Orders. The ANAO issued an unmodified audit opinion on the statements and notes (see Appendix 18).

## Procurement and contract management

During 2013–14, the ACMA continued to strengthen its procurement and contract management capabilities, putting appropriate controls in place to comply with the FMA Act and the *Commonwealth Procurement Rules*. The ACMA used a range of template documents to procure goods and services that, in alignment with internal policies, means it obtained value-for-money procurement.

The ACMA has updated its policies and procedures in preparation for the implementation of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) in 2014–15.

## Grant programs

The ACMA does not administer any grant programs.

## Asset management

The ACMA's asset management procedures and policies reflect relevant legislation and best practice. Major asset categories include land, buildings, leasehold improvements, plant, equipment and intangibles such as software that is either developed in-house or purchased from third-party vendors. Assets are valued at fair value with their carrying values and useful lives being reviewed annually.

At the end of 2013–14, the ACMA had a net total value of \$52.393 million in net assets. During the year, the capital management plan was further developed to help the ACMA with its capital planning requirements.

## Property management

The ACMA property portfolio includes leased, licensed and Commonwealth-owned premises, ranging from office accommodation in the major capital cities to small radio monitoring sites at remote locations. The ACMA continues to review its office accommodation in accordance with the *Commonwealth Property Management Guidelines* and operational requirements.

The ACMA entered into new 10-year leases for both the Canberra and Melbourne premises during 2013–14 and undertook internal fit-outs, achieving new and efficient office environments.

Both offices feature modern fit-outs and have been designed with sustainable solutions to achieve a 4.5 star NABERS energy rating. This is in line with the green lease initiative issued by the Department of Climate Change and Energy Efficiency.

## Ecologically sustainable development and environmental performance

The ACMA has an ongoing commitment to reduce the organisation's impact on the environment through various measures, including procuring green power and reducing energy consumption through energy-efficient office fit-outs. Further measures include, but are not limited to:

- > extensively using videoconferencing facilities to reduce air travel
- > implementing forced 'out-of-hours' computer terminal shutdown
- > using environmentally friendly cleaning products
- > separating office waste into recyclable and non-recyclable components.

The ACMA accords with relevant ecologically sustainable development and environmental requirements, and reports its performance annually through the Government Greenhouse Energy Reporting requests and the National Environment Protection Measures reporting requirements. It also provides information to the Energy and Environment Survey undertaken by the Australian Bureau of Statistics.



# Appendixes

1. ACMA offices
  2. ACMA committees, memberships and attendance at meetings
  3. Staffing information
  4. Licensing and licence allocations
  5. Programs and content
  6. Broadcasting investigations outcomes 2013–14
  7. Freedom of information—Information Publication Scheme
  8. Legislation
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  15. Performance against PBS KPIs and deliverables
  16. Regulatory impact analysis compliance report
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  18. Financial statements
- 

# Appendix 1:

## ACMA offices

### **Canberra**

Red Building, Benjamin Offices  
Chan Street, Belconnen  
PO Box 78, Belconnen ACT 2616  
T +61 2 6219 5555  
F +61 2 6219 5353

### **Melbourne**

Level 32, Melbourne Central Tower  
360 Elizabeth Street, Melbourne  
PO Box 13112 Law Courts, Melbourne VIC 8010  
T +61 3 9963 6800  
F +61 3 9963 6899

### **Sydney**

Level 5, The Bay Centre  
65 Pirrama Road, Pyrmont  
PO Box Q500, Queen Victoria Building NSW 1230  
T +61 2 9334 7700, 1800 226 667  
F +61 2 9334 7799

### **Brisbane**

424 Upper Roma Street  
Brisbane QLD 4000  
PO Box 288, Red Hill QLD 4059  
T +61 7 3247 7111  
F +61 7 3247 7100

### **Parramatta**

Level 3, 100 George Street  
Parramatta NSW 2150  
PO Box Q500, Queen Victoria Building NSW 1230  
T +61 2 9334 7700  
F +61 2 9334 7733

### **Hobart**

601 Back Tea Tree Road  
Richmond TAS 7025  
T +61 3 6268 0982  
F +61 3 6268 0246

## Appendix 2:

# ACMA committees, memberships and attendance at meetings

The following tables provide information about ACMA committees, memberships and attendance at meetings in 2013–14.

### Authority meetings

At 30 June 2014, the Authority comprised the Chairman, the Deputy Chair, one full-time Member, four part-time Members and one Associate Member.

The Authority met 21 times in 2013–14.

**Table 40: Attendance by Members at Authority meetings, 2013–14**

Authority Member	No. of meetings attended
Chris Chapman, Chairman	21
Richard Bean, Deputy Chair	20
Chris Cheah, full-time Member	19
Reg Coutts, part-time Member	14
Louise Benjamin, part-time Member	20
Anita Jacoby, part-time Member	15
James Cameron, part-time Member	17
Rosemary Sinclair, part-time Member	15
Rod Sims, Associate Member	0

## Executive Group meetings

The ACMA Executive Group functions as a senior oversight committee for management decisions. The Executive Group assists the Chairman by providing counsel on issues of high-level corporate or strategic significance to the agency.

**Table 41: Attendance at Executive Group meetings, 2013–14**

Member of Executive Group	No. of meetings attended
Chris Chapman, Chairman	10
Richard Bean, Deputy Chair	9
Chris Cheah, full-time Member	9
Carsten Larsen, Acting General Manager, Corporate Services and Coordination (1 July 2013–16 March 2014)	7
Giles Tanner, General Manager, Digital Economy	10
Maureen Cahill, General Manager, Communications Infrastructure (1 July 2013–16 March 2014); General Manager, Corporate Services and Coordination (17 March–30 June 2014)	11
Brendan Byrne, General Manager, Legal Services	10
Jennifer McNeill, General Manager, Content, Consumer and Citizen	10
Allan Major, Acting General Manager, Communications Infrastructure (17 March–30 June 2014)	3

## Audit Committee

The Audit Committee coordinates internal and external audit activities, and oversees the financial statements, risk management framework and implementation of fraud control policies.

In its capacity as an advisory committee to the ACMA Chairman, the Audit Committee met four times in 2013–14.

**Table 42: Attendance by Members at Audit Committee, 2013–14**

Members	No. of meetings attended
Richard Bean, Audit Committee Chair	4
Michael Harris, Independent Audit Committee Member	4
Fay Holthuyzen, Independent Audit Committee Member	4
Mark Loney, ACMA Audit Committee Member (from March 2013)	4
Vince Humphries, ACMA Audit Committee Member (to November 2013)	2
Jonquil Ritter, ACMA Audit Committee Member (from November 2013)	2

## Membership of advisory and consultative bodies

### Consumer Consultative Forum (CCF)

- > Australian Communications and Media Authority (Chair)
- > Australian Competition and Consumer Commission
- > Australian Mobile Telecommunications Association
- > Communications Alliance
- > Department of Communications
- > Telecommunications Industry Ombudsman

### Consumer representatives

- > Stella Avramopoulos, Kildonan Uniting Care
- > Hollie Baillieu, National Farmers Federation (from 27 March 2014)
- > Narelle Clark, Internet Society of Australia
- > Teresa Corbin, Australian Communications Consumer Action Network
- > Chris Jeffery, Council on the Ageing WA (from 27 March 2014)
- > Rex Lai, Chinese Association of Victoria
- > Catriona Lowe, Consumers Federation of Australia (from 27 March 2014)
- > Professor Julian Thomas, Swinburne University of Technology

### Emergency Call Services Advisory Committee (ECSAC)

- > Australian Communications and Media Authority (Chair)
- > Ambulance Tasmania
- > Attorney-General's Department
- > Australian Capital Territory Emergency Services Authority
- > Australian Communications Consumer Action Network
- > Australian Communication Exchange Limited
- > Department of Communications
- > Queensland Ambulance Services
- > Emergency Services Telecommunications Authority, Victoria
- > Internet Industry Association<sup>1</sup>
- > iiNet Limited
- > NBN Co Limited
- > New South Wales Police Force
- > Fire and Rescue NSW
- > Northern Territory Police, Fire and Emergency Services
- > Singtel Optus Pty Ltd

- > South Australia Ambulance Service
- > St John Ambulance, Western Australia
- > Telecommunications Universal Service Management Agency
- > Telstra Corporation
- > Victoria Police
- > Vodafone Hutchison Australia Pty Limited

### Numbering Advisory Committee (NAC)

- > AAPT Ltd
- > Australian Communications and Media Authority
- > Australian Communications Consumer Action Network
- > Australian Competition and Consumer Commission
- > Australian Phone Word Association Ltd
- > Mr Lawrence Glen Clarke
- > Communications Alliance Ltd
- > Department of Communications
- > My Net Fone Ltd
- > SingTel Optus Pty Ltd
- > Telstra Corporation Ltd
- > Vodafone Hutchison Australia Pty Ltd

### Observers

- > Industry Number Management Services
- > M2
- > Verizon Australia Pty Ltd

### Technical Advisory Group (TAG)

- > Australian Communications and Media Authority (Chair)
- > Australian Competition and Consumer Commission
- > Australian Communications Consumer Action Network
- > Australian Industry Group
- > Australian Information Industry Association
- > Australian Mobile Telecommunications Association
- > Broadcasting Industry Technical Advisory Group
- > Consumer Electronics Suppliers' Association
- > Communications Alliance Ltd
- > Department of Communications
- > Internet Society of Australia
- > National Association of Testing Authorities
- > NBN Co
- > Standards Australia
- > Telecommunications Industry Ombudsman
- > Telecommunications Universal Service Management Agency

<sup>1</sup> Internet Industry Association ceased trading and its operations and responsibilities were taken over by Communications Alliance Limited on 24 March 2014.

## **New South Wales Submarine Cable Protection Zone Advisory Committee**

- > Australian Communications and Media Authority (Chair)
- > Advisory Council on Recreational Fishing
- > Australia–Japan Cable
- > Australian Shipowners Association
- > Commercial dive operator
- > Commercial fisher
- > Department of Premier and Cabinet (NSW)
- > Department of Sustainability, Environment, Water, Population and Communities
- > Southern Cross Cables
- > Sydney Ports

## **Western Australia Submarine Cable Protection Zone Advisory Committee**

- > Australian Communications and Media Authority (Chair)
- > Australian Petroleum Production and Exploration Association
- > Australian Shipowners Association
- > Commercial dive operator
- > Department of Premier and Cabinet (WA)
- > Department of Sustainability, Environment, Water, Population and Communities
- > Fremantle Ports
- > REACH
- > Recfishwest
- > Western Australian Fishing Industry Council

## **Radiocommunications Consultative Committee (RCC) Chairman**

- > Full-time Member, Australian Communications and Media Authority

### **Members**

- > Australian Mobile Telecommunications Association
- > Australian Radio Communications Industry Group
- > Australian Subscription Television and Radio Association
- > Bureau of Meteorology
- > Commercial Radio Australia
- > Communications Alliance Ltd
- > Department of Communications
- > Department of Defence
- > Free TV Australia
- > National Coordinating Committee for Government Radiocommunications
- > Space Industry Association of Australia

# Appendix 3:

## Staffing information

Table 43: Staff profiles by employment type, gender and location, 2013–14\*

Classification	NATIONAL																	
	ONGOING						NON-ONGOING											
	Full-time		Part-time		Total		Full-time		Part-time		Total							
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female						
	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14						
SES 2	2	2	2	2							4	4						
SES 1	10	7	5	6			1				16	13						
EL2	34	29	26	26	1	1	10	9			73	65						
Principal Lawyer	6	6	6	6		1					13	12						
EL1	95	89	50	51	3	5	35	33	6	3	4	2						
Senior Lawyer	1	2	8	7	1	1		1	2	1	1	2						
ACMA 6	68	60	70	61	1	1	14	19	7	5	9	6						
Lawyer	1	1																
ACMA 5	18	16	18	13	1	1	6	7	1		4	1						
ACMA 4	9	8	18	16	2	2	6	8	2		2	1						
ACMA 3	1	1	1	1		1	1	1	2	2								
ACMA 2											1							
Graduate												1						
ACMA 1																		
<b>TOTAL</b>	<b>245</b>	<b>221</b>	<b>204</b>	<b>189</b>	<b>9</b>	<b>7</b>	<b>73</b>	<b>78</b>	<b>23</b>	<b>11</b>	<b>19</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>580</b>	<b>517</b>

\*Substantive classification. Excludes seven statutory office-holders.



CANTBERRA														
ONGOING							NON-ONGOING							
Classification	Full-time Male	Full-time Female	Part-time Male	Part-time Female	Full-time Male	Full-time Female	Part-time Male	Part-time Female	Full-time Male	Full-time Female	Part-time Male	Part-time Female	Total	
	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14
SES 2		2	2										2	2
SES 1	7	4	1										7	5
EL2	14	12	8	9	2	2			1				25	23
Principal Lawyer	1	1	1	1									3	2
EL1	41	39	15	15	1	1	2	3	3		1		63	58
Senior Lawyer			3	3									3	3
ACMA 6	21	18	24	23		4	4	3	2			1	53	47
Lawyer													0	0
ACMA 5	7	7	9	7					1	1			17	15
ACMA 4	4	4	11	10	4	5			1	1			20	20
ACMA 3			1	1				2	1				3	2
ACMA 2											1	1	2	0
Graduate													0	0
ACMA 1													0	0
<b>TOTAL</b>	<b>95</b>	<b>85</b>	<b>74</b>	<b>72</b>	<b>1</b>	<b>1</b>	<b>13</b>	<b>14</b>	<b>9</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>198</b>	<b>177</b>

MELBOURNE														
ONGOING							NON-ONGOING							
Classification	Full-time		Part-time		Part-time		Full-time		Part-time		Part-time		Total	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female		
	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14
SES 2													0	0
SES 1	3	3	2	2									5	5
EL2	11	9	7	6	1	1	2	2					22	18
Principal Lawyer	4	4											4	4
EL1	38	34	20	19	2	3	19	19	1	3	2	1	84	79
Senior Lawyer		1	4	3	1	1		1	2	1			7	6
ACMA 6	28	25	25	19	1	1	9	12	2	2	2	2	67	61
Lawyer	1	1											1	1
ACMA 5	8	6	7	5			6	7	1		2		24	18
ACMA 4	1	1	4	4			2	2	1				8	7
ACMA 3	1	1											1	1
ACMA 2													0	0
Graduate													0	0
ACMA 1													0	0
<b>TOTAL</b>	<b>95</b>	<b>85</b>	<b>69</b>	<b>58</b>	<b>5</b>	<b>5</b>	<b>38</b>	<b>43</b>	<b>8</b>	<b>6</b>	<b>6</b>	<b>3</b>	<b>223</b>	<b>200</b>

SYDNEY		NON-ONGOING												
		ONGOING						NON-ONGOING						
Classification	Full-time		Part-time		Part-time		Full-time		Part-time		Part-time		Total	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female		
	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14
SES 2	2	2											2	2
SES 1				3									4	3
EL2	8	7	11	11		5	4						24	22
Principal Lawyer	1	1	4	4									5	5
EL1	15	15	15	17	1	14	11		2	2	1	1	48	46
Senior Lawyer	1	1	1	1									2	2
ACMA 6	13	11	21	19		1	3		1	7	4	1	44	37
Lawyer													0	0
ACMA 5	2	1	1							1			4	1
ACMA 4	2	3	1		1		1		1	1			6	4
ACMA 3						1	1			1			1	2
ACMA 2													0	0
Graduate													0	0
ACMA 1													0	0
<b>TOTAL</b>	<b>44</b>	<b>41</b>	<b>57</b>	<b>55</b>	<b>1</b>	<b>21</b>	<b>20</b>	<b>5</b>	<b>1</b>	<b>11</b>	<b>5</b>	<b>1</b>	<b>140</b>	<b>124</b>

REGIONS*		ONGOING										NON-ONGOING						
		Full-time		Part-time		Part-time		Full-time		Part-time		Part-time		Full-time		Part-time		
Classification	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Total	
	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14	01.07.13	30.06.14
SES 2																	0	0
SES 1																	0	0
EL2	1	1				1	1										2	2
Principal Lawyer			1	1													1	1
EL1	1	1															1	1
Senior Lawyer																	0	0
ACMA 6	6	6							1	1							7	7
Lawyer																	0	0
ACMA 5	1	2	1	1	1												3	3
ACMA 4	2		2	2	1												5	2
ACMA 3																	0	0
ACMA 2																	0	0
Graduate																	0	0
ACMA 1																	0	0
<b>TOTAL</b>	<b>11</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>16</b>

\*Includes Parramatta, Hobart and Brisbane.

**Table 44: Salary ranges of employees, 30 June 2014**

ACMA local designation	Equivalent APS classification	(\$)
ACMA 1.1	APS Level 1	43,539
ACMA 1.2		48,019
ACMA 2.1	APS Level 2	48,986
ACMA 2.2		54,070
ACMA 3.1	APS Level 3	55,713
ACMA 3.2		57,125
ACMA 3.3		60,618
ACMA 4.1	APS Level 4	62,444
ACMA 4.2		64,067
ACMA 4.3		67,907
ACMA 5.1	APS Level 5	69,619
ACMA 5.2		71,679
ACMA 5.3		75,196
ACMA 6.1	APS Level 6	76,767
ACMA 6.2		80,623
ACMA 6.3		86,738
ACMA EL1.1	Executive Level 1	93,353
ACMA EL1.2		98,202
ACMA EL1.3		105,318
ACMA EL1.4* (Restricted)		115,983
ACMA EL2.1	Executive Level 2	113,009
ACMA EL2.2		120,588
ACMA EL2.3		128,147
ACMA EL2.4		133,747
ACMA EL2.5** (Restricted)		136,898
Lawyer/Legal Officer 1.1	APS Level 5	69,619
Lawyer/Legal Officer 1.2	APS Level 5	75,196
Lawyer/Legal Officer 1.3	APS Level 6	76,767
Lawyer/Legal Officer 1.4	APS Level 6	86,738
Snr Lawyer/Legal Officer 2.1	Executive Level 1	93,353
Snr Lawyer/Legal Officer 2.2	Executive Level 1	105,318
Snr Lawyer/Legal Officer 2.3	Executive Level 1	115,983
Principal Lawyer 3.1	Executive Level 2	128,147
Principal Lawyer 3.2	Executive Level 2	133,747
Tech Trainee 1	Trainee APS (Technical)	43,539
Tech Trainee 2	Trainee APS (Technical)	48,019
Tech Trainee 3	Trainee APS (Technical)	48,986
Tech Trainee 4	Trainee APS (Technical)	54,070
Graduate 1.1	Graduate APS	55,713
Graduate 1.2	Graduate APS	60,618
Graduate 1.3***	APS Level 4	62,444

\*Restricted to employees locally designated as Snr Lawyer/Legal Officer.

\*\*Restricted to employees 'grandfathered' from ABA/ACA on this paypoint.

\*\*\*On successful completion of the graduate year, a graduate will be allocated an ACMA 3 (APS Level 3) local designation and immediately advanced to ACMA 4 (APS Level 4).

Abbreviations used in this appendix—SES: Senior Executive Service; EL: Executive Level; APS: Australian Public Service.

# Appendix 4:

## Licensing and licence allocations

Table 45: Carrier licences, 2013–14

No.	Carrier licence granted to	Date granted
347	Net Open Access Pty Ltd	30 July 2013
348	O3b Teleport Services (Australia) Pty Ltd	5 September 2013
349	Uniti Wireless Pty Ltd	11 September 2013
350	Caramel Computing Pty Ltd	11 September 2013
351	Acurix Networks Pty Ltd	11 September 2013
352	Jeanneret Electrical Technologies	26 September 2013
353	RCS Telecommunications Pty Ltd	17 October 2013
354	Chargepoint Pty Ltd	5 December 2013
355	Eutelsat Asia Pte Ltd	9 December 2013
356	CMSG Pty Ltd	14 January 2014
357	TransGrid	4 February 2014
358	Geraldton DC Pty Ltd	6 February 2014
359	Wellcamp Business Park Pty Ltd	8 April 2014
360	Infrastructure Logic Pty Ltd	8 April 2014
361	Myport Pty Ltd	9 April 2014
362	Optus Satellite Network Pty Ltd	9 April 2014
363	March IT Pty Ltd	29 April 2014
364	Trident Subsea Cable Australia Pty Ltd	14 May 2014
365	Duxtel Pty Ltd	29 May 2014
366	Building Connect Pty Ltd	5 June 2014
367	BTelecom Pty Ltd	10 June 2014
368	Wan Solutions Pty Ltd (trading as Kodo Technologies)	17 June 2014

**Table 46: Nominated carrier declarations, 2013–14**

No.	Nominated carrier declared	Network unit(s)	Date made
125	Wireless Broadband Engineering Pty Ltd	Multiple line links and designated radiocommunications facilities, being the ActewAGL single-mode optical fibre (SMOF) and optical fibre ground wire (OPGW network), ActewAGL Trunked Mobile Radio (TMR) Network and Digital Data Radio Network (DDRN) owned or operated by ActewAGL Distribution	12 July 2013
126	AAPT Limited	Multiple line links and designated radiocommunications facilities owned by PowerTel Limited	9 August 2013
127	O3b Teleport Services (Australia) Pty Ltd	Satellite-based facilities owned by O3b Limited	8 October 2013
128	NT Technology Services Pty Ltd	Network unit or units owned by Lend Lease Development Pty Ltd located at 8 Waterside Place, Docklands Victoria 3008—'Convesso'; 9 Waterside Place, Docklands Victoria 3008—'Concavo'; 807–811 Bourke Street, Docklands Victoria 3008—'Forte'; 815 Bourke Street, Docklands Victoria 3008—'Serrata'; 55 Merchant Street, Docklands Victoria 3008—'Exo'; and Dock 5, 7 Hubbuck Lane, Docklands VIC 3008—Head End Location	13 March 2014
129	Telstra Corporation Limited	Network unit or units owned by Santos Qld Upstream Developments Pty Ltd, being fibre optic cables located in Queensland running between the Telstra exchange at Wallumbilla and various sites in the Bowen Basin, in which Santos or a related body corporate ('RBC') has an ownership interest or for which Santos or a RBC is the operator	17 June 2014

**Table 47: Apparatus licences, 2012–14**

Licence type	30 June 2012	30 June 2013	30 June 2014
Aeronautical	2,106	2,221	2,247
Aircraft	11	12	12
Amateur	15,760	15,540	15,316
Broadcasting	10,091	9,285	8,682
Defence	74	76	76
Earth	579	688	732
Earth receive	581	674	711
Fixed	44,140	41,093	41,755
Fixed receive	1,012	1,007	1,007
Land mobile	68,905	69,287	68,847
Major coast receive	17	17	17
Maritime coast	3,504	3,545	3,452
Maritime ship	7,884	7,664	7,327
Outpost	4,106	3,889	3,585
PTS	657	691	714
Radiodetermination	2,899	2,923	2,999
Scientific	504	497	526
Space	102	106	107
Space receive	338	301	279
<b>Total</b>	<b>163,270</b>	<b>159,516</b>	<b>158,391</b>

**Table 48: Retransmission services, 2013–14**

Radio/ TV	Area	State	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
Radio	Menzies	WA	Shire of Menzies	102.1	01/08/2013	31/07/2014
TV	Airlie Cove Resort and Van Park	Qld	Airlie Cove Pty Ltd	564.5/33	13/08/2013	12/08/2014
TV	Airlie Cove Resort and Van Park	Qld	Airlie Cove Pty Ltd	536.5/29	13/08/2013	12/08/2014
TV	Airlie Cove Resort and Van Park	Qld	Airlie Cove Pty Ltd	543.5/30	13/08/2013	12/08/2014
TV	Airlie Beach	Qld	Airlie Cove Pty Ltd	550.5/31	13/08/2013	12/08/2014
TV	Airlie Cove Resort and Van Park	Qld	Airlie Cove Pty Ltd	557.5/32	13/08/2013	12/08/2014
TV	Denham	WA	Shire of Shark Bay	571.5/34	02/08/2013	01/08/2014
TV	Denham	WA	Shire of Shark Bay	578.5/35	01/08/2013	31/07/2014
TV	Denham	WA	Shire of Shark Bay	585.5/36	02/08/2013	01/08/2014
TV	Denham	WA	Shire of Shark Bay	592.5/37	02/08/2013	01/08/2014
Radio	Leigh Creek	SA	Flinders Power Holdings GMBH and Others	97.7	17/09/2013	01/06/2015
TV	Yulara	NT	Voyages Indigenous Tourism Australia Pty Ltd	676.5/49	09/10/2013	08/10/2014
TV	Yulara	NT	Voyages Indigenous Tourism Australia Pty Ltd	662.5/47	09/10/2013	08/10/2014
TV	Yulara	NT	Voyages Indigenous Tourism Australia Pty Ltd	620.5/41	09/10/2013	08/10/2014
TV	Yulara	NT	Voyages Indigenous Tourism Australia Pty Ltd	634.5/43	09/10/2013	08/10/2014
TV	Yulara	NT	Voyages Indigenous Tourism Australia Pty Ltd	648.5/45	09/10/2013	08/10/2014
TV	Mitta Mitta	Vic.	Mitta Valley Community TV Inc.	662.5/47	21/11/2013	20/11/2014
TV	Mitta Mitta	Vic.	Mitta Valley Community TV Inc.	655.5/46	21/11/2013	20/11/2014
TV	Mitta Mitta	Vic.	Mitta Valley Community TV Inc.	669.5/48	21/11/2013	20/11/2014
TV	Mitta Mitta	Vic.	Mitta Valley Community TV Inc.	676.5/49	21/11/2013	20/11/2014
TV	Mitta Mitta	Vic.	Mitta Valley Community TV Inc.	683.5/50	21/11/2013	20/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	100.3	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	98.7	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	101.9	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	89.1	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	95.5	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	99.5	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	97.9	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	101.1	28/11/2013	27/11/2014
Radio	Newman	WA	Fortescue Metals Group Ltd	97.1	28/11/2013	27/11/2014
TV	Newborough	Vic.	RBA Holdings Pty Ltd	648.5/45	07/04/2014	06/04/2019
TV	Newborough	Vic.	RBA Holdings Pty Ltd	634.5/43	07/04/2014	06/04/2019
TV	Newborough	Vic.	RBA Holdings Pty Ltd	613.5/40	07/04/2014	06/04/2019
TV	Newborough	Vic.	RBA Holdings Pty Ltd	641.5/44	07/04/2014	06/04/2019
TV	Newborough	Vic.	RBA Holdings Pty Ltd	620.5/41	07/04/2014	06/04/2019



TV	Trafalgar/ Yarragon	Vic.	RBA Holdings Pty Ltd	648.5/45	07/04/2014	06/04/2019
TV	Trafalgar/ Yarragon	Vic.	RBA Holdings Pty Ltd	634.5/43	07/04/2014	06/04/2019
TV	Trafalgar/ Yarragon	Vic.	RBA Holdings Pty Ltd	613.5/40	07/04/2014	06/04/2019
TV	Trafalgar/ Yarragon	Vic.	RBA Holdings Pty Ltd	641.5/44	07/04/2014	06/04/2019
TV	Trafalgar/ Yarragon	Vic.	RBA Holdings Pty Ltd	620.5/41	07/04/2014	06/04/2019
TV	Belmont North	NSW	RBA Holdings Pty Ltd	543.5/30	07/04/2014	06/04/2019
TV	Belmont North	NSW	RBA Holdings Pty Ltd	529.5/28	07/04/2014	06/04/2019
TV	Belmont North	NSW	RBA Holdings Pty Ltd	557.5/32	07/04/2014	06/04/2019
TV	Belmont North	NSW	RBA Holdings Pty Ltd	564.5/33	07/04/2014	06/04/2019
TV	Warners Bay	NSW	RBA Holdings Pty Ltd	543.5/30	07/04/2014	06/04/2019
TV	Warners Bay	NSW	RBA Holdings Pty Ltd	529.5/28	07/04/2014	06/04/2019
TV	Warners Bay	NSW	RBA Holdings Pty Ltd	557.5/32	07/04/2014	06/04/2019
TV	Warners Bay	NSW	RBA Holdings Pty Ltd	564.5/33	07/04/2014	06/04/2019
TV	Brisbane South East	Qld	Tx Australia Pty Limited	543.5/30	10/12/2013	09/12/2018
TV	Brisbane South East	Qld	Tx Australia Pty Limited	550.5/31	10/12/2013	09/12/2018
TV	Brisbane South East	Qld	Tx Australia Pty Limited	564.5/33	10/12/2013	09/12/2018
Radio	Maydena	Tas.	Central Highlands Council	89.7	27/08/2013	26/08/2014
Radio	Pemberton	WA	Shire of Manjimup	97.3	11/02/2014	10/02/2015
Radio	Roslyn Hill Mine	WA	Roslyn Hill Mining Pty Ltd	95.1	10/01/2014	09/01/2015
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	655.5/46	02/06/2014	01/06/2019
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	662.5/47	02/06/2014	01/06/2019
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	683.5/50	02/06/2014	01/06/2019
TV	Peregian Beach	Qld	RBA Holdings Pty Ltd	536.5/29	02/06/2014	01/06/2019
TV	Peregian Beach	Qld	RBA Holdings Pty Ltd	557.5/32	02/06/2014	01/06/2019
TV	Point Arkwright	Qld	RBA Holdings Pty Ltd	536.5/29	02/06/2014	01/06/2019
TV	Point Arkwright	Qld	RBA Holdings Pty Ltd	557.5/32	02/06/2014	01/06/2019
TV	Mudjimba	Qld	P. McCulloch	606.5/39	09/05/2014	05/02/2015
TV	Tewantin	Qld	Sunshine Coast Regional Council	606.5/39	03/04/2014	02/04/2015
Radio	Roy Hill	WA	Nixon Communications Pty Ltd	107.7	03/02/2014	02/02/2015
TV	Mudjimba (Mudjimba Beach HP)	Qld	P. McCulloch	578.5/35	09/05/2014	08/05/2015
TV	Mudjimba (Mudjimba Beach HP)	Qld	P. McCulloch	571.5/34	09/05/2014	08/05/2015
TV	Mudjimba	Qld	P. McCulloch	592.5/37	09/05/2014	08/05/2015
TV	Mudjimba (Mudjimba Beach HP)	Qld	P. McCulloch	599.5/38	09/05/2014	08/05/2015
TV	Noosaville (Noosa River HP)	Qld	Sunshine Coast Regional Council	578.5/35	03/04/2014	02/04/2015
TV	Noosaville (Noosa River HP)	Qld	Sunshine Coast Regional Council	571.5/34	03/04/2014	02/04/2015

TV	Noosaville (Noosa River HP)	Qld	Sunshine Coast Regional Council	592.5/37	03/04/2014	02/04/2015
TV	Noosaville (Noosa River HP)	Qld	Sunshine Coast Regional Council	599.5/38	03/04/2014	02/04/2015
Radio	Roy Hill	WA	Nixon Communications Pty Ltd	106.1	03/02/2014	02/02/2015
Radio	Roy Hill	WA	Nixon Communications Pty Ltd	104.5	03/02/2014	02/02/2015
TV	Tindal	NT	Department of Defence	655.5/46	20/03/2014	19/03/2015
TV	Tindal	NT	Department of Defence	669.5/48	20/03/2014	19/03/2015
TV	Tindal	NT	Department of Defence	613.5/40	20/03/2014	19/03/2015
TV	Tindal	NT	Department of Defence	627.5/42	20/03/2014	19/03/2015
TV	Tindal	NT	Department of Defence	641.5/44	20/03/2014	19/03/2015
TV	Cocos Island Home Island	ACT	Department of Infrastructure	613.5/40	10/01/2014	09/01/2015
TV	Cocos Island Home Island	ACT	Department of Infrastructure	627.5/42	10/01/2014	09/01/2015
TV	Cocos Island Home Island	ACT	Department of Infrastructure	641.5/44	10/01/2014	09/01/2015
TV	Cocos Island Home Island	ACT	Department of Infrastructure	655.5/46	10/01/2014	09/01/2015
TV	Cocos Island Home Island	ACT	Department of Infrastructure	669.5/48	10/01/2014	09/01/2015
Radio	Mukinbudin	WA	Shire of Mukinbudin	90.7	04/03/2014	03/03/2015
Radio	Christmas Island Rocky Point	WA	Department of Infrastructure and Regional Development	93.3	29/04/2014	28/04/2015
Radio	Christmas Island Rocky Point	WA	Department of Infrastructure and Regional Development	91.7	29/04/2014	28/04/2015
Radio	Cocos Islands (West Island)	WA	Department of Infrastructure and Regional Development	98.9	29/04/2014	28/04/2015
Radio	Christmas Island Drumsite	WA	Department of Infrastructure and Regional Development	95.7	29/04/2014	28/04/2015
Radio	Cocos Island Home Island	WA	Department of Infrastructure and Regional Development	105.7	29/04/2014	28/04/2015
Radio	Cocos Island Home Island	WA	Department of Infrastructure and Regional Development	107.3	29/04/2014	28/04/2015
Radio	Cocos Island Home Island	WA	Department of Infrastructure and Regional Development	104.1	29/04/2014	28/04/2015
Radio	Christmas Island Phosphate Hill	WA	Department of Infrastructure and Regional Development	89.3	29/04/2014	28/04/2015
Radio	Christmas Island Phosphate Hill	WA	Department of Infrastructure and Regional Development	92.5	29/04/2014	28/04/2015
Radio	Christmas Island Phosphate Hill	WA	Department of Infrastructure and Regional Development	90.1	29/04/2014	28/04/2015
Radio	Christmas Island Phosphate Hill	WA	Department of Infrastructure and Regional Development	104.1	29/04/2014	28/04/2015
Radio	Christmas Island Phosphate Hill	WA	Department of Infrastructure and Regional Development	92.5	29/04/2014	28/04/2015
Radio	Christmas Island Rocky Point	WA	Department of Infrastructure and Regional Development	93.3	29/04/2014	28/04/2015
Radio	Cobar	NSW	Cobar Shire Council	106.9	24/03/2014	10/08/2015
TV	Byron Bay	NSW	RBA Holdings Pty Ltd	627.5/42	07/04/2014	06/04/2019
TV	Byron Bay	NSW	RBA Holdings Pty Ltd	641.5/44	07/04/2014	06/04/2019
TV	Byron Bay	NSW	RBA Holdings Pty Ltd	620.5/41	07/04/2014	06/04/2019
TV	Anglesea/ Aireys Inlet	Vic.	Tx Australia Pty Limited	536.5/29	08/04/2019	07/04/2024

TV	Anglesea/ Aireys Inlet	Vic.	Tx Australia Pty Limited	543.5/30	08/04/2014	07/04/2019
TV	Anglesea/ Aireys Inlet	Vic.	Tx Australia Pty Limited	529.5/28	08/04/2014	07/04/2019
Radio	Mt Whaleback Mine	WA	BHP Billiton Iron Ore Pty Ltd	102.5	10/07/2014	17/07/2015
TV	Picton	NSW	Tx Australia Pty Limited	543.5/30	08/04/2014	07/04/2019
TV	Picton	NSW	Tx Australia Pty Limited	529.5/28	08/04/2014	07/04/2019
TV	Picton	NSW	Tx Australia Pty Limited	557.5/32	08/04/2014	07/04/2019
TV	Picton	NSW	Tx Australia Pty Limited	564.5/33	08/04/2014	07/04/2019
TV	Picton	NSW	Tx Australia Pty Limited	550.5/31	08/04/2014	07/04/2019
TV	Sydney North West	NSW	Tx Australia Pty Limited	529.5/28	08/04/2014	07/04/2019
TV	Sydney North West	NSW	Tx Australia Pty Limited	550.5/31	08/04/2014	07/04/2019
TV	Sydney South West	NSW	Tx Australia Pty Limited	627.5/42	08/04/2014	07/04/2019
TV	Sydney South West	NSW	Tx Australia Pty Limited	634.5/43	08/04/2014	07/04/2019
TV	Broadford	Vic.	Mitchell Shire Council	662.5/47	07/04/2014	06/04/2015
TV	Broadford	Vic.	Mitchell Shire Council	669.5/48	07/04/2014	06/04/2015
TV	Broadford	Vic.	Mitchell Shire Council	683.5/50	07/04/2014	06/04/2015
TV	Broadford	Vic.	Mitchell Shire Council	655.5/46	07/04/2014	06/04/2015
TV	Broadford	Vic.	Mitchell Shire Council	676.5/49	07/04/2014	06/04/2015
TV	Boolarra	Vic.	RBA Holdings Pty Ltd	655.5/46	07/04/2014	06/04/2019
TV	Boolarra	Vic.	RBA Holdings Pty Ltd	662.5/47	07/04/2014	06/04/2019
TV	Jeeralang/ Yinnar South	Vic.	RBA Holdings Pty Ltd	655.5/46	07/04/2014	06/04/2019
TV	Jeeralang/ Yinnar South	Vic.	RBA Holdings Pty Ltd	662.5/47	07/04/2014	06/04/2019
Radio	Mt Whaleback Mine	WA	BHP Billiton Iron Ore Pty Ltd	104.1	10/07/2014	17/07/2015
Radio	Mt Whaleback Mine	WA	BHP Billiton Iron Ore Pty Ltd	105.7	10/07/2014	17/07/2015
TV	Sydney South West	NSW	Tx Australia Pty Limited	613.5/40	08/04/2014	07/04/2019
Radio	Todmorden	NT	Todmorden Cattle Company	104.5	14/04/2014	15/04/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	101.7	28/05/2014	27/05/2015
Radio	Christmas Creek Mine	WA	Fortescue Metals Group Ltd	95.1	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	98.3	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	92.7	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	88.7	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	96.7	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	103.3	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	95.1	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	99.9	28/05/2014	27/05/2015

Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	106.5	28/05/2014	27/05/2015
Radio	Newman Mining Area C	WA	BHP Billiton Iron Ore Pty Ltd	104.9	28/05/2014	27/05/2015
Radio	Charleville	Qld	Murweh Shire Council	98.5	27/06/2014	15/04/2015
TV	Merimbula	NSW	RBA Holdings Pty Ltd	578.5/35	02/06/2014	01/06/2019
TV	Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	606.5/39	02/06/2014	01/06/2019
TV	Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	592.5/37	02/06/2014	01/06/2019
TV	Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	571.5/34	02/06/2014	01/06/2019
TV	Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	585.5/36	02/06/2014	01/06/2019
TV	Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	599.5/38	02/06/2014	01/06/2019
Radio	Barunga	NT	Roper Gulf Regional Council	104.1	14/07/2014	27/03/2016

**Table 49: National services, 2013–14**

Radio/ TV	Area	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
TV	Bruce Rock	Australian Broadcasting Corporation	683.5/50	09/07/2013	30/11/2014
TV	Adelong	Australian Broadcasting Corporation	606.5/39	05/09/2013	30/11/2014
TV	Batlow	Australian Broadcasting Corporation	620.5/41	05/09/2013	30/11/2014
TV	Batchelor	Australian Broadcasting Corporation	620.5/41	05/09/2013	30/11/2014
TV	Cardwell	Australian Broadcasting Corporation	669.5/48	05/09/2013	30/11/2014
TV	Captains Flat	Australian Broadcasting Corporation	725.5/56	05/09/2013	30/11/2014
TV	Maydena	Australian Broadcasting Corporation	627.5/42	05/09/2013	30/11/2014
TV	Talbingo	Australian Broadcasting Corporation	620.5/41	05/09/2013	30/11/2014
TV	Tumbarumba	Australian Broadcasting Corporation	620.5/41	05/09/2013	30/11/2014
TV	Darwin City	Special Broadcasting Service Corporation	613.5/40	18/07/2013	17/07/2014
TV	Moora	Special Broadcasting Service Corporation	606.5/39	05/09/2013	04/09/2014
TV	Cooktown	Special Broadcasting Service Corporation	571.5/34	05/09/2013	04/09/2014
TV	Thursday Island	Special Broadcasting Service Corporation	571.5/34	05/09/2013	04/09/2014
TV	Lightning Ridge	Special Broadcasting Service Corporation	690.5/51	05/09/2013	04/09/2014
TV	Hughenden	Special Broadcasting Service Corporation	571.5/34	14/10/2013	13/10/2014
TV	Blackall	Special Broadcasting Service Corporation	571.5/34	14/10/2013	13/10/2014
TV	Cunnamulla	Special Broadcasting Service Corporation	571.5/34	14/10/2013	13/10/2014
TV	Winton	Special Broadcasting Service Corporation	571.5/34	14/10/2013	13/10/2014
TV	Coleraine	Australian Broadcasting Corporation	662.5/47	31/10/2013	30/11/2014
TV	Eildon Town	Australian Broadcasting Corporation	620.5/41	31/10/2013	30/11/2014
TV	Roleystone	Australian Broadcasting Corporation	620.5/41	31/10/2013	30/11/2014
TV	Toodyay	Australian Broadcasting Corporation	662.5/47	31/10/2013	30/11/2014
TV	Adelaide Foothills	Australian Broadcasting Corporation	606.5/39	31/10/2013	30/11/2014

TV	Victor Harbor	Australian Broadcasting Corporation	606.5/39	31/10/2013	30/11/2014
TV	Alexandra Environs	Australian Broadcasting Corporation	620.5/41	31/10/2013	30/11/2014
TV	Wollongong	Australian Broadcasting Corporation	620.5/41	31/10/2013	30/11/2014
TV	Roleystone	Special Broadcasting Service Corporation	613.5/40	31/10/2013	10/10/2014
TV	Adelaide Foothills	Special Broadcasting Service Corporation	571.5/34	31/10/2013	28/10/2014
TV	Eildon Town	Special Broadcasting Service Corporation	627.5/42	31/10/2013	08/05/2014
TV	Toodyay	Special Broadcasting Service Corporation	655.5/46	31/10/2013	10/10/2014
TV	Victor Harbor	Special Broadcasting Service Corporation	571.5/34	31/10/2013	21/09/2014
TV	Alexandra Environs	Special Broadcasting Service Corporation	627.5/42	31/10/2013	08/05/2014
TV	Wollongong	Special Broadcasting Service Corporation	641.5/44	31/10/2013	29/09/2014
TV	Colac	Special Broadcasting Service Corporation	676.5/49	31/10/2013	08/05/2014
TV	Lilydale	Special Broadcasting Service Corporation	655.5/46	31/10/2013	02/10/2014
TV	Colac	Australian Broadcasting Corporation	662.5/47	31/10/2013	30/11/2014
TV	Lilydale	Australian Broadcasting Corporation	662.5/47	31/10/2013	30/11/2014
TV	Bourke Town	Special Broadcasting Service Corporation	655.5/46	01/11/2013	31/10/2014
TV	Brewarrina	Special Broadcasting Service Corporation	648.5/45	01/11/2013	31/10/2014
TV	Cooper Pedy	Special Broadcasting Service Corporation	571.5/34	01/11/2013	31/10/2014
TV	Sunshine Coast South	Special Broadcasting Service Corporation	578.5/35	01/11/2013	31/10/2014
TV	Barcardine	Special Broadcasting Service Corporation	641.5/44	14/11/2013	13/11/2014
TV	Weipa	Special Broadcasting Service Corporation	571.5/34	14/11/2013	13/11/2014
TV	Cloncurry	Special Broadcasting Service Corporation	571.5/34	14/11/2013	13/11/2014
TV	Kings Cross	Special Broadcasting Service Corporation	557.5/32	17/02/2014	16/02/2015
TV	Manly/Mosman	Special Broadcasting Service Corporation	557.5/32	17/02/2014	16/02/2015
TV	Melbourne	Special Broadcasting Service Corporation	184.5/7	17/02/2014	16/02/2015
TV	Sydney	Special Broadcasting Service Corporation	184.5/7	17/02/2014	16/02/2015
TV	Bordertown	Special Broadcasting Service Corporation	620.5/41	14/11/2013	13/11/2014
TV	Jabiru	Special Broadcasting Service Corporation	529.5/28	14/11/2013	13/11/2014
TV	Walgett	Special Broadcasting Service Corporation	627.5/42	14/11/2013	13/11/2014
TV	Wilcannia	Special Broadcasting Service Corporation	571.5/34	14/11/2013	13/11/2014
TV	Meander	Australian Broadcasting Corporation	669.5/48	03/02/2014	30/11/2014
TV	Bruthen	Australian Broadcasting Corporation	662.5/47	03/02/2014	30/11/2014

TV	Bruthen	Special Broadcasting Service Corporation	655.5/46	17/02/2014	16/02/2015
TV	Sunshine Coast South	Australian Broadcasting Corporation	606.5/39	09/12/2013	30/11/2014
TV	Lameroo	Special Broadcasting Service Corporation	620.5/41	11/02/2014	10/02/2015
TV	Pinnaroo	Special Broadcasting Service Corporation	578.5/35	11/02/2014	10/02/2015
TV	Hopetoun (Vic.)	Special Broadcasting Service Corporation	550.5/31	11/02/2014	10/02/2015
TV	Bendigo	Australian Broadcasting Corporation	536.5/29	03/02/2014	30/11/2014
TV	Warburton	Australian Broadcasting Corporation	578.5/35	03/02/2014	30/11/2014
TV	Coffs Harbour	Australian Broadcasting Corporation	648.5/45	03/02/2014	30/11/2014
TV	St Helens	Australian Broadcasting Corporation	536.5/29	03/02/2014	30/11/2014
TV	Augusta	Australian Broadcasting Corporation	655.5/46	03/02/2014	30/11/2014
TV	Marysville	Australian Broadcasting Corporation	578.5/35	03/02/2014	30/11/2014
TV	Bowral/Mittagong	Australian Broadcasting Corporation	662.5/47	03/02/2014	30/11/2014
TV	Port Sorell	Australian Broadcasting Corporation	529.5/28	03/02/2014	30/11/2014
TV	Launceston	Australian Broadcasting Corporation	578.5/35	03/02/2014	30/11/2014
TV	New Norfolk	Australian Broadcasting Corporation	578.5/35	03/02/2014	30/11/2014
TV	Rosebery	Special Broadcasting Service Corporation	529.5/28	11/02/2014	10/02/2015
TV	Waratah	Special Broadcasting Service Corporation	606.5/39	11/02/2014	10/02/2015
TV	Bicheno	Special Broadcasting Service Corporation	578.5/35	11/02/2014	10/02/2015
TV	Swansea	Special Broadcasting Service Corporation	655.5/46	11/02/2014	10/02/2015
TV	Strahan	Special Broadcasting Service Corporation	613.5/40	11/02/2014	10/02/2015
TV	Binalong Bay	Special Broadcasting Service Corporation	599.5/38	11/02/2014	10/02/2015
TV	Corryong	Special Broadcasting Service Corporation	578.5/35	11/02/2014	10/02/2015
TV	St Marys	Special Broadcasting Service Corporation	690.5/51	11/02/2014	10/02/2015
TV	Augusta	Special Broadcasting Service Corporation	662.5/47	11/02/2014	10/02/2015
TV	Bombala	Special Broadcasting Service Corporation	655.5/46	11/02/2014	10/02/2015
TV	Kalbarri	Special Broadcasting Service Corporation	529.5/28	11/02/2014	10/02/2015
TV	King Island	Special Broadcasting Service Corporation	212.5/10	11/02/2014	10/02/2015
TV	Mt Roberts	Special Broadcasting Service Corporation	690.5/51	11/02/2014	10/02/2015
TV	Nannup	Special Broadcasting Service Corporation	529.5/28	11/02/2014	10/02/2015
TV	Theodore	Australian Broadcasting Corporation	620.5/41	04/03/2014	30/11/2014
TV	Warburton	Special Broadcasting Service Corporation	571.5/34	11/03/2014	02/09/2014
TV	Ringarooma	Australian Broadcasting Corporation	536.5/29	04/03/2014	30/11/2014
TV	Coffs Harbour	Special Broadcasting Service Corporation	620.5/41	11/03/2014	02/09/2014

TV	Marysville	Special Broadcasting Service Corporation	571.5/34	11/03/2014	02/09/2014
TV	Weston Creek/Woden	Special Broadcasting Service Corporation	648.5/45	11/03/2014	02/09/2014
TV	Launceston	Special Broadcasting Service Corporation	571.5/34	11/03/2014	02/09/2014
TV	Tuggeranong	Special Broadcasting Service Corporation	648.5/45	11/03/2014	02/09/2014
TV	Weston Creek/Woden	Australian Broadcasting Corporation	620.5/41	11/03/2014	30/11/2014
TV	Tuggeranong	Australian Broadcasting Corporation	620.5/41	11/03/2014	30/11/2014
TV	Coffin Bay	Special Broadcasting Service Corporation	648.5/45	04/03/2014	03/03/2015
TV	Mitchell	Special Broadcasting Service Corporation	592.5/37	04/03/2014	03/03/2015
TV	Morawa	Special Broadcasting Service Corporation	564.5/33	04/03/2014	03/03/2015
TV	Goshen/Goulds Country	Australian Broadcasting Corporation	578.5/35	04/03/2014	30/11/2014
TV	Savage River	Australian Broadcasting Corporation	662.5/47	04/03/2014	30/11/2014
TV	New Norfolk	Special Broadcasting Service Corporation	571.625/34	11/03/2014	02/09/2014
TV	Cann River	Special Broadcasting Service Corporation	655.5/46	08/05/2014	07/05/2015
TV	Genoa	Special Broadcasting Service Corporation	578.5/35	08/05/2014	07/05/2015
TV	Adelong	Special Broadcasting Service Corporation	571.5/34	08/05/2014	07/05/2015
TV	Burra	Special Broadcasting Service Corporation	571.5/34	08/05/2014	07/05/2015
TV	Captains Flat	Special Broadcasting Service Corporation	613.5/53	26/05/2014	25/05/2015
TV	Cardwell	Special Broadcasting Service Corporation	662.5/47	23/06/2014	22/06/2015
TV	Glenden	Special Broadcasting Service Corporation	697.5/52	08/05/2014	07/05/2015
TV	Kandos	Special Broadcasting Service Corporation	683.5/50	26/06/2014	25/06/2015
TV	Merriwa	Special Broadcasting Service Corporation	620.5/41	08/05/2014	07/05/2015
TV	Murrurundi	Special Broadcasting Service Corporation	571.5/34	08/05/2014	07/05/2015
TV	Springsure	Special Broadcasting Service Corporation	711.5/54	08/05/2014	07/05/2015
TV	Talbingo	Special Broadcasting Service Corporation	613.5/40	08/05/2014	07/05/2015
TV	Tumbarumba	Special Broadcasting Service Corporation	613.5/40	26/06/2014	25/06/2015
TV	Walcha	Special Broadcasting Service Corporation	613.5/40	23/06/2014	22/06/2015
TV	Murgon	Special Broadcasting Service Corporation	648.5/45	23/06/2014	22/06/2015
TV	Tara	Special Broadcasting Service Corporation	613.5/40	23/06/2014	22/06/2015
TV	Casterton	Special Broadcasting Service Corporation	648.5/45	23/06/2014	22/06/2015

TV	Mallacoota	Special Broadcasting Service Corporation	655.5/46	23/06/2014	22/06/2015
TV	Warrnambool City	Australian Broadcasting Corporation	536.5/29	08/05/2014	30/11/2014
TV	Collinsville	Australian Broadcasting Corporation	578.5/35	08/05/2014	30/11/2014
TV	Middlemount	Australian Broadcasting Corporation	578.5/35	08/05/2014	30/11/2014
TV	Bowen Town	Australian Broadcasting Corporation	606.5/39	08/05/2014	30/11/2014
TV	Lithgow East	Australian Broadcasting Corporation	662.5/47	08/05/2014	30/11/2014
TV	Gladstone (Tas.)	Australian Broadcasting Corporation	662.5/47	08/05/2014	30/11/2014
TV	Airlie Beach	Australian Broadcasting Corporation	606.625/39	08/05/2014	30/11/2014
TV	Ayr	Australian Broadcasting Corporation	648.5/45	08/05/2014	30/11/2014
TV	Boyne Island	Australian Broadcasting Corporation	620.5/41	08/05/2014	30/11/2014
TV	Murgon	Australian Broadcasting Corporation	620.5/41	08/05/2014	30/11/2014
TV	Proserpine	Australian Broadcasting Corporation	648.5/45	08/05/2014	30/11/2014
TV	Shute Harbour	Australian Broadcasting Corporation	662.5/47	08/05/2014	30/11/2014
TV	Tumby Bay	Special Broadcasting Service Corporation	529.5/28	09/05/2014	14/12/2015
TV	Cowell	Special Broadcasting Service Corporation	606.5/39	09/05/2014	14/12/2015
TV	Port Lincoln	Special Broadcasting Service Corporation	683.5/50	09/05/2014	14/12/2015
TV	Moranbah Town	Special Broadcasting Service Corporation	571.5/34	09/05/2014	02/10/2014
TV	Warrnambool City	Special Broadcasting Service Corporation	529.5/28	09/05/2014	08/05/2015
TV	Collinsville	Special Broadcasting Service Corporation	571.5/34	09/05/2014	16/04/2015
TV	Middlemount	Special Broadcasting Service Corporation	571.5/34	09/05/2014	21/09/2014
TV	Lithgow East	Special Broadcasting Service Corporation	655.5/46	09/05/2014	31/12/2014
TV	Airlie Beach	Special Broadcasting Service Corporation	571.5/34	09/05/2014	30/06/2015
TV	Ayr	Special Broadcasting Service Corporation	613.5/40	09/05/2014	31/07/2015
TV	Boyne Island	Special Broadcasting Service Corporation	613.5/40	09/05/2014	24/11/2014
TV	Proserpine	Special Broadcasting Service Corporation	613.5/40	09/05/2014	17/04/2015
TV	Shute Harbour	Special Broadcasting Service Corporation	655.5/46	09/05/2014	07/07/2014
TV	Miles	Special Broadcasting Service Corporation	613.5/40	23/06/2014	22/06/2015
TV	Bonalbo	Special Broadcasting Service Corporation	613.5/40	23/06/2014	22/06/2015
TV	Keith	Special Broadcasting Service Corporation	578.5/35	23/06/2014	22/06/2015
TV	Kyogle	Special Broadcasting Service Corporation	648.5/45	23/06/2014	22/06/2015
TV	Orbost	Special Broadcasting Service Corporation	627.5/42	23/06/2014	22/06/2015
TV	Stanwell Park	Australian Broadcasting Corporation	662.5/47	23/06/2014	30/11/2014
TV	Illawarra	Australian Broadcasting Corporation	578.5/35	23/06/2014	30/11/2014
TV	Genoa	Australian Broadcasting Corporation	585.5/36	23/06/2014	30/11/2014
TV	Wynyard	Australian Broadcasting Corporation	529.5/28	23/06/2014	30/11/2014



TV	Braidwood	Australian Broadcasting Corporation	662.5/47	23/06/2014	30/11/2014
TV	Captains Flat	Australian Broadcasting Corporation	620.5/41	23/06/2014	30/11/2014
TV	Bombala	Australian Broadcasting Corporation	662.5/47	23/06/2014	30/11/2014
TV	Darling Downs	Australian Broadcasting Corporation	536.5/29	23/06/2014	30/11/2014
TV	Illawarra	Special Broadcasting Service Corporation	606.5/39	23/06/2014	30/07/2015
TV	Braidwood	Special Broadcasting Service Corporation	655.5/46	23/06/2014	05/02/2015
TV	Darling Downs	Special Broadcasting Service Corporation	564.5/33	23/06/2014	19/04/2015
TV	Upper Namoi	Special Broadcasting Service Corporation	529.5/28	25/06/2014	31/10/2014
TV	Nebo	Special Broadcasting Service Corporation	606.5/39	25/06/2014	31/03/2015
TV	Orford	Special Broadcasting Service Corporation	613.5/40	25/06/2014	31/10/2014
TV	Nambour	Special Broadcasting Service Corporation	613.5/40	25/06/2014	31/10/2014
TV	Dysart	Special Broadcasting Service Corporation	613.5/40	25/06/2014	31/03/2015
TV	Esk	Special Broadcasting Service Corporation	571.5/34	25/06/2014	31/07/2014
TV	Gordonvale	Special Broadcasting Service Corporation	662.5/47	25/06/2014	31/07/2014
TV	Gympie Town	Special Broadcasting Service Corporation	683.5/50	25/06/2014	14/01/2015
TV	Hobart NE Suburbs	Special Broadcasting Service Corporation	655.5/46	25/06/2014	14/01/2015
TV	Selby	Special Broadcasting Service Corporation	571.5/34	25/06/2014	08/05/2015
TV	Dover	Special Broadcasting Service Corporation	655.5/46	25/06/2014	08/05/2015
TV	Southern Downs	Special Broadcasting Service Corporation	606.5/39	25/06/2014	08/05/2015
TV	Rockhampton East	Special Broadcasting Service Corporation	613.5/40	25/06/2014	14/01/2015
TV	Batemans Bay/Moruya	Special Broadcasting Service Corporation	613.5/40	25/06/2014	14/01/2015
TV	Monto	Special Broadcasting Service Corporation	648.5/45	25/06/2014	14/01/2015
TV	Armidale	Special Broadcasting Service Corporation	571.5/34	25/06/2014	31/10/2014
TV	Murwillumbah	Special Broadcasting Service Corporation	564.5/33	25/06/2014	31/07/2014
TV	Richmond/Tweed	Special Broadcasting Service Corporation	564.5/33	25/06/2014	31/07/2014
TV	Gympie	Special Broadcasting Service Corporation	613.5/40	25/06/2014	31/03/2015
TV	Noosa/Tewantin	Special Broadcasting Service Corporation	613.5/40	25/06/2014	31/03/2015
TV	Cooma Town	Special Broadcasting Service Corporation	613.5/40	25/06/2014	14/01/2015
TV	Boonah	Special Broadcasting Service Corporation	613.5/40	25/06/2014	08/05/2015
TV	Penguin	Special Broadcasting Service Corporation	606.5/39	25/06/2014	08/05/2015

TV	Sunshine Coast North	Special Broadcasting Service Corporation	683.5/50	25/06/2014	31/07/2014
TV	Foster	Special Broadcasting Service Corporation	613.5/40	25/06/2014	08/05/2015
TV	Kiewa	Special Broadcasting Service Corporation	613.5/40	25/06/2014	08/05/2015
TV	Upwey	Special Broadcasting Service Corporation	571.5/34	25/06/2014	31/03/2015
TV	Nowra North	Special Broadcasting Service Corporation	655.5/46	25/06/2014	14/01/2015
TV	Bell	Special Broadcasting Service Corporation	648.5/45	25/06/2014	14/01/2015
TV	Narooma	Special Broadcasting Service Corporation	655.5/46	25/06/2014	31/10/2014
TV	Mallacoota	Australian Broadcasting Corporation	662.5/47	26/05/2014	30/11/2014
TV	Amidale	Australian Broadcasting Corporation	585.5/36	26/06/2014	30/11/2014
TV	Upper Namoi	Australian Broadcasting Corporation	536.5/29	26/06/2014	30/11/2014
TV	Mackay	Australian Broadcasting Corporation	529.5/28	26/06/2014	30/11/2014
TV	Nebo	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Wudinna	Australian Broadcasting Corporation	585.5/36	26/06/2014	30/11/2014
TV	Orford	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Gympie	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Nambour	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Noosa/Tewantin	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Dysart	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Cooma Town	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Townsville	Australian Broadcasting Corporation	571.5/34	26/06/2014	30/11/2014
TV	Gordonvale	Australian Broadcasting Corporation	669.5/48	26/06/2014	30/11/2014
TV	Latrobe Valley	Australian Broadcasting Corporation	536.5/29	26/06/2014	30/11/2014
TV	East Devonport	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Penguin	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Ulverstone	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Gympie Town	Australian Broadcasting Corporation	676.5/49	26/06/2014	30/11/2014
TV	Sunshine Coast North	Australian Broadcasting Corporation	676.5/49	26/06/2014	30/11/2014
TV	Hobart NE Suburbs	Australian Broadcasting Corporation	662.5/47	26/06/2014	30/11/2014
TV	Foster	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Selby	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Upwey	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Dover	Australian Broadcasting Corporation	662.5/47	26/06/2014	30/11/2014
TV	Southern Downs	Australian Broadcasting Corporation	578.5/35	26/06/2014	30/11/2014
TV	Rockhampton East	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Gloucester	Australian Broadcasting Corporation	536.5/29	26/06/2014	30/11/2014
TV	Nowra North	Australian Broadcasting Corporation	662.5/47	26/06/2014	30/11/2014
TV	Batemans Bay/Moruya	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Monto	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Bell	Australian Broadcasting Corporation	620.5/41	26/06/2014	30/11/2014
TV	Narooma	Australian Broadcasting Corporation	662.5/47	26/06/2014	30/11/2014

**Table 50: Commercial licences, 2013–14**

Area	State	Applicant	Purpose	Frequency (MHz)/channel	Date of effect	Date of expiry
Darwin City	NT	Territory Television Pty Ltd	Commercial	634.5/43	18/07/2013	17/07/2014
Darwin City	NT	Regional Television Pty Limited	Commercial	627.5/42	18/07/2013	17/07/2014
Darwin City	NT	Darwin Digital Television Pty Limited	Commercial	641.5/44	18/07/2013	17/07/2014
Roleystone	WA	Network Ten (Perth) Pty Limited	Commercial	641.5/44	31/10/2013	03/10/2014
Toodyay	WA	Network Ten (Perth) Pty Limited	Commercial	683.5/50	31/10/2013	03/10/2014
Roleystone	WA	Swan Television & Radio Broadcasters Pty Ltd	Commercial	634.5/43	01/11/2013	19/05/2014
Toodyay	WA	Swan Television & Radio Broadcasters Pty Ltd	Commercial	676.5/49	01/11/2013	19/05/2014
Roleystone	WA	Channel Seven Perth Pty Ltd	Commercial	627.5/42	01/11/2013	30/10/2014
Toodyay	WA	Channel Seven Perth Pty Ltd	Commercial	669.5/48	01/11/2013	30/10/2014
Adelaide Foothills	SA	Network Ten (Adelaide) Pty Limited	Commercial	592.5/37	01/11/2013	17/08/2014
Victor Harbor	SA	Network Ten (Adelaide) Pty Limited	Commercial	592.5/37	01/11/2013	17/08/2014
Adelaide Foothills	SA	Channel Seven Adelaide Pty Ltd	Commercial	578.5/35	01/11/2013	03/10/2014
Victor Harbor	SA	Channel Seven Adelaide Pty Ltd	Commercial	578.5/35	01/11/2013	03/10/2014
Adelaide Foothills	SA	Channel 9 South Australia Pty Limited	Commercial	585.5/36	01/11/2013	29/09/2014
Victor Harbor	SA	Channel 9 South Australia Pty Limited	Commercial	585.5/36	01/11/2013	29/09/2014
Bonnie Doon	Vic.	WIN Television Vic Pty Ltd	Commercial	550.5/31	01/11/2013	08/02/2014
Wollongong	NSW	Prime Television (Southern) Pty Limited	Commercial	627.5/42	01/11/2013	30/01/2014
Kings Cross	NSW	Channel Seven Sydney Pty Limited	Commercial	529.5/28	17/02/2014	06/02/2015
Manly/ Mosman	NSW	Channel Seven Sydney Pty Limited	Commercial	529.5/28	17/02/2014	06/02/2015
Kings Cross	NSW	Network TEN (Sydney) Pty Limited	Commercial	550.5/31	17/02/2014	03/10/2014
Manly/ Mosman	NSW	Network TEN (Sydney) Pty Limited	Commercial	550.5/31	17/02/2014	03/10/2014
Bundaberg	Qld	Maryborough Broadcasting Company Pty Limited	Commercial	93.1	27/08/2013	26/08/2014
Maryborough (Qld)	Qld	Maryborough Broadcasting Company Pty Limited	Commercial	101.8	08/10/2006	07/10/2007
Crookwell	NSW	Radio Goulburn Pty Ltd	Commercial	103.7	07/01/2014	06/01/2015
Warburton	Vic.	Network Ten (Melbourne) Pty Limited	Commercial	599.5/38	11/03/2014	03/10/2014
Warburton	Vic.	General Television Corporation Proprietary Limited	Commercial	592.5/37	11/03/2014	14/02/2015
Warburton	Vic.	Channel Seven Melbourne Pty Ltd	Commercial	585.5/36	11/03/2014	03/10/2014
Broken Hill	NSW	Broken Hill Television Pty Limited	Commercial	191.5/8	11/03/2014	03/10/2014

Bendigo	Vic.	Southern Cross Communications Pty Limited	Commercial	564.5/33	11/03/2014	25/10/2014
Bendigo	Vic.	WIN Television Vic Pty Ltd	Commercial	543.5/30	11/03/2014	08/02/2015
Coffs Harbour	NSW	Northern Rivers Television Pty Ltd	Commercial	641.5/44	11/03/2014	29/11/2014
Coffs Harbour	NSW	NBN Ltd	Commercial	634.5/43	11/03/2014	11/02/2016
Coffs Harbour	NSW	Prime Television (Northern) Pty Limited	Commercial	627.5/42	11/03/2014	30/01/2015
Marysville	Vic.	Network Ten (Melbourne) Pty Limited	Commercial	599.5/38	11/03/2014	03/10/2014
Marysville	Vic.	General Television Corporation Proprietary Limited	Commercial	592.5/37	11/03/2014	14/02/2015
Marysville	Vic.	Channel Seven Melbourne Pty Ltd	Commercial	585.5/36	11/03/2014	03/10/2014
Binalong Bay	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	571.5/34	11/03/2014	25/06/2014
Launceston	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	585.5/36	11/03/2014	25/06/2014
New Norfolk	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	585.5/36	11/03/2014	25/06/2014
Binalong Bay	Tas.	WIN Television TAS Pty Ltd	Commercial	578.5/35	11/03/2014	30/06/2014
Launceston	Tas.	WIN Television TAS Pty Ltd	Commercial	592.5/37	11/03/2014	30/06/2014
New Norfolk	Tas.	WIN Television TAS Pty Ltd	Commercial	592.5/37	11/03/2014	30/06/2014
Bowral/ Mittagong	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	11/03/2014	03/07/2014
Tuggeranong	ACT	Australian Capital Television Pty Ltd	Commercial	641.5/44	11/03/2014	03/07/2014
Bowral/ Mittagong	NSW	WIN Television NSW Pty Limited	Commercial	669.5/48	11/03/2014	07/09/2014
Tuggeranong	ACT	WIN Television NSW Pty Limited	Commercial	634.5/43	11/03/2014	07/09/2014
Churchill	Vic.	Prime Television (Victoria) Pty Limited	Commercial	655.5/46	11/03/2014	13/12/2014
Churchill	Vic.	Southern Cross Communications Pty Limited	Commercial	662.5/47	11/03/2014	25/10/2014
Tuggeranong	ACT	Prime Television (Southern) Pty Limited	Commercial	627.5/42	11/03/2014	30/01/2015
St Helens	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	543.5/30	09/05/2014	25/06/2015
St Helens	Tas.	WIN Television TAS Pty Ltd	Commercial	550.5/31	09/05/2014	30/06/2015
St Helens	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	557.5/32	09/05/2014	20/11/2014
Tumby Bay	SA	Spencer Gulf Telecasters Pty Limited	Commercial	564.5/33	09/05/2014	26/06/2015
Cowell	SA	Spencer Gulf Telecasters Pty Limited	Commercial	571.5/34	09/05/2014	26/06/2015
Port Lincoln	SA	Spencer Gulf Telecasters Pty Limited	Commercial	669.5/48	09/05/2014	26/06/2015
Stuart	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	08/05/2014	17/10/2014
Townsville North	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	08/05/2014	17/10/2014
Moranbah Town	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	08/05/2014	17/10/2014
Moranbah	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	08/05/2014	17/10/2014

Collinsville North IBL	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	08/05/2014	17/10/2014
Collinsville	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	08/05/2014	17/10/2014
Middlemount	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	08/05/2014	17/10/2014
Bowen Town	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	08/05/2014	17/10/2014
Bowen Environs IBL	Qld	WIN Television QLD Pty Ltd	Commercial	669.5/48	08/05/2014	17/10/2014
Airlie Beach	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	08/05/2014	17/10/2014
Ayr	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	08/05/2014	17/10/2014
Murgon	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	08/05/2014	17/10/2014
Proserpine	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	08/05/2014	17/10/2014
Shute Harbour	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	08/05/2014	17/10/2014
Stuart	Qld	Channel Seven Queensland Pty Limited	Commercial	662.5/47	08/05/2014	07/12/2014
Townsville North	Qld	Channel Seven Queensland Pty Limited	Commercial	662.5/47	08/05/2014	07/12/2014
Moranbah Town	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	08/05/2014	07/12/2014
Collinsville North IBL	Qld	Channel Seven Queensland Pty Limited	Commercial	620.5/41	08/05/2014	07/12/2014
Collinsville	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	08/05/2014	07/12/2014
Middlemount	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	08/05/2014	07/12/2014
Bowen Town	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	08/05/2014	07/12/2014
Bowen Environs IBL	Qld	Channel Seven Queensland Pty Limited	Commercial	662.5/47	08/05/2014	07/12/2014
Airlie Beach	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	08/05/2014	07/12/2014
Ayr	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	08/05/2014	07/12/2014
Boyne Island	Qld	Channel Seven Queensland Pty Limited	Commercial	648.5/45	08/05/2014	07/12/2014
Murgon	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	08/05/2014	07/12/2014
Proserpine	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	08/05/2014	07/12/2014
Shute Harbour	Qld	Channel Seven Queensland Pty Limited	Commercial	669.5/48	08/05/2014	07/12/2014
Stuart	Qld	Regional Television Pty Limited	Commercial	669.5/48	09/05/2014	08/05/2015
Townsville North	Qld	Regional Television Pty Limited	Commercial	669.5/48	09/05/2014	08/05/2015
Moranbah Town	Qld	Regional Television Pty Limited	Commercial	599.5/38	09/05/2014	08/05/2015
Moranbah	Qld	Regional Television Pty Limited	Commercial	655.5/46	09/05/2014	08/05/2015
Collinsville North IBL	Qld	Regional Television Pty Limited	Commercial	641.5/44	09/05/2014	08/05/2015
Collinsville	Qld	Regional Television Pty Limited	Commercial	599.5/38	09/05/2014	08/05/2015
Middlemount	Qld	Regional Television Pty Limited	Commercial	599.5/38	09/05/2014	08/05/2015

Bowen Town	Qld	Regional Television Pty Limited	Commercial	599.5/38	09/05/2014	08/05/2015
Bowen Environs IBL	Qld	Regional Television Pty Limited	Commercial	676.5/49	09/05/2014	08/05/2015
Airlie Beach	Qld	Regional Television Pty Limited	Commercial	599.625/38	09/05/2014	08/05/2015
Ayr	Qld	Regional Television Pty Limited	Commercial	641.5/44	09/05/2014	08/05/2015
Boyne Island	Qld	Regional Television Pty Limited	Commercial	641.5/44	09/05/2014	08/05/2015
Murgon	Qld	Regional Television Pty Limited	Commercial	641.5/44	09/05/2014	08/05/2015
Proserpine	Qld	Regional Television Pty Limited	Commercial	641.5/44	09/05/2014	08/05/2015
Shute Harbour	Qld	Regional Television Pty Limited	Commercial	683.5/50	09/05/2014	08/05/2015
Hopetoun (Vic.)	Vic.	Southern Cross Communications Pty Limited	Commercial	536.5/29	09/05/2014	25/10/2014
Warrnambool City	Vic.	Southern Cross Communications Pty Limited	Commercial	557.5/32	09/05/2014	24/10/2014
Albury North	Vic.	Southern Cross Communications Pty Limited	Commercial	557.5/32	09/05/2014	25/10/2014
Yea	Vic.	Southern Cross Communications Pty Limited	Commercial	599.5/38	09/05/2014	25/10/2014
Hopetoun (Vic.)	Vic.	WIN Television Vic Pty Ltd	Commercial	543.5/30	09/05/2014	08/02/2015
Warrnambool City	Vic.	WIN Television Vic Pty Ltd	Commercial	550.5/31	09/05/2014	08/02/2015
Albury North	Vic.	WIN Television Vic Pty Ltd	Commercial	543.5/30	09/05/2014	08/02/2015
Yea	Vic.	WIN Television Vic Pty Ltd	Commercial	585.5/36	09/05/2014	08/02/2015
Warrnambool City	Vic.	Prime Television (Victoria) Pty Limited	Commercial	543.5/30	09/05/2014	13/12/2014
Albury North	Vic.	Prime Television (Victoria) Pty Limited	Commercial	529.5/28	09/05/2014	13/12/2014
Yea	Vic.	Prime Television (Victoria) Pty Limited	Commercial	578.5/35	09/05/2014	13/12/2014
Lithgow	NSW	Australian Capital Television Pty Ltd	Commercial	557.5/32	09/05/2014	28/05/2015
Lithgow East	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	09/05/2014	28/05/2015
Lithgow East	NSW	Prime Television (Southern) Pty Limited	Commercial	669.5/48	09/05/2014	30/01/2015
Lithgow	NSW	WIN Television NSW Pty Limited	Commercial	536.5/29	09/05/2014	07/09/2014
Lithgow East	NSW	WIN Television NSW Pty Limited	Commercial	676.5/49	09/05/2014	07/09/2014
Boyne Island	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	08/05/2014	17/10/2014
Stanwell Park	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	23/06/2014	21/06/2015
Braidwood	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	23/06/2014	03/07/2015
Captains Flat	NSW	Australian Capital Television Pty Ltd	Commercial	641.5/44	23/06/2014	03/07/2015

Bombala	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	23/06/2014	03/07/2015
Cooma Town	NSW	Australian Capital Television Pty Ltd	Commercial	641.5/44	23/06/2014	03/07/2015
Ulladulla	NSW	Australian Capital Television Pty Ltd	Commercial	557.5/32	23/06/2014	28/05/2015
Nowra North	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	23/06/2014	28/05/2015
Batemans Bay/Moruya	NSW	Australian Capital Television Pty Ltd	Commercial	641.5/44	23/06/2014	28/05/2015
Narooma	NSW	Australian Capital Television Pty Ltd	Commercial	683.5/50	23/06/2014	28/05/2015
Upper Namoi	NSW	NBN Ltd	Commercial	550.5/31	23/06/2014	11/02/2015
Grafton/Kempsey	NSW	NBN Ltd	Commercial	592.5/37	23/06/2014	11/02/2015
Murwillumbah	Qld	NBN Ltd	Commercial	550.5/31	23/06/2014	11/02/2015
Richmond/Tweed	NSW	NBN Ltd	Commercial	550.5/31	23/06/2014	11/02/2015
Armidale	NSW	Northern Rivers Television Pty Ltd	Commercial	592.5/37	23/06/2014	29/11/2014
Upper Namoi	NSW	Northern Rivers Television Pty Ltd	Commercial	557.5/32	23/06/2014	29/11/2014
Gloucester	NSW	Northern Rivers Television Pty Ltd	Commercial	543.5/30	23/06/2014	29/11/2014
Stanwell Park	NSW	WIN Television NSW Pty Limited	Commercial	669.5/48	23/06/2014	07/09/2014
Braidwood	NSW	WIN Television NSW Pty Limited	Commercial	676.5/49	23/06/2014	07/09/2014
Captains Flat	NSW	WIN Television NSW Pty Limited	Commercial	634.5/43	23/06/2014	07/09/2014
Bombala	NSW	WIN Television NSW Pty Limited	Commercial	676.5/49	23/06/2014	07/09/2014
Cooma/Monaro	NSW	WIN Television NSW Pty Limited	Commercial	550.5/31	23/06/2014	07/09/2014
Cooma Town	NSW	WIN Television NSW Pty Limited	Commercial	634.5/43	23/06/2014	07/09/2014
Ulladulla	NSW	WIN Television NSW Pty Limited	Commercial	564.5/33	23/06/2014	07/09/2014
Nowra North	NSW	WIN Television NSW Pty Limited	Commercial	676.5/49	23/06/2014	07/09/2014
Batemans Bay/Moruya	NSW	WIN Television NSW Pty Limited	Commercial	634.5/43	23/06/2014	07/09/2014
Narooma	NSW	WIN Television NSW Pty Limited	Commercial	676.5/49	23/06/2014	07/09/2014
Esk	Qld	Channel Seven Brisbane Pty Limited	Commercial	578.5/35	23/06/2014	11/09/2014
Boonah	Qld	Channel Seven Brisbane Pty Limited	Commercial	620.5/41	23/06/2014	11/09/2014
Sunshine Coast South	Qld	Channel Seven Brisbane Pty Limited	Commercial	571.5/34	23/06/2014	11/09/2014
Esk	Qld	Queensland Television Ltd	Commercial	592.5/37	23/06/2014	31/03/2015
Sunshine Coast South	Qld	Queensland Television Ltd	Commercial	592.5/37	23/06/2014	31/03/2015
Gordonvale	Qld	Channel Seven Queensland Pty Limited	Commercial	683.5/50	23/06/2014	07/12/2014
Gympie Town	Qld	Channel Seven Queensland Pty Limited	Commercial	669.5/48	23/06/2014	07/12/2014

Sunshine Coast North	Qld	Channel Seven Queensland Pty Limited	Commercial	669.5/48	23/06/2014	07/12/2014
Southern Downs	Qld	Channel Seven Queensland Pty Limited	Commercial	571.5/34	23/06/2014	07/12/2014
Rockhampton East	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	23/06/2014	07/12/2014
Gladstone East	Qld	Channel Seven Queensland Pty Limited	Commercial	536.5/29	23/06/2014	07/12/2014
Monto	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	23/06/2014	07/12/2014
Braidwood	NSW	Prime Television (Southern) Pty Limited	Commercial	669.5/48	23/06/2014	30/01/2015
Captains Flat	NSW	Prime Television (Southern) Pty Limited	Commercial	627.5/42	23/06/2014	30/01/2015
Bombala	NSW	Prime Television (Southern) Pty Limited	Commercial	669.5/48	23/06/2014	30/01/2015
Cooma/Monaro	NSW	Prime Television (Southern) Pty Limited	Commercial	564.5/33	23/06/2014	30/01/2015
Cooma Town	NSW	Prime Television (Southern) Pty Limited	Commercial	627.5/42	23/06/2014	30/01/2015
Ulladulla	NSW	Prime Television (Southern) Pty Limited	Commercial	543.5/30	23/06/2014	30/01/2015
Nowra North	NSW	Prime Television (Southern) Pty Limited	Commercial	669.5/48	23/06/2014	30/01/2015
Batemans Bay/Moruya	NSW	Prime Television (Southern) Pty Limited	Commercial	627.5/42	23/06/2014	30/01/2015
Narooma	NSW	Prime Television (Southern) Pty Limited	Commercial	669.5/48	23/06/2014	30/01/2015
Selby	Vic.	Channel Seven Melbourne Pty Ltd	Commercial	585.5/36	24/06/2014	03/10/2014
Upwey	Vic.	Channel Seven Melbourne Pty Ltd	Commercial	585.5/36	24/06/2014	03/10/2014
Selby	Vic.	General Television Corporation Proprietary Limited	Commercial	592.5/37	24/06/2014	14/02/2015
Upwey	Vic.	General Television Corporation Proprietary Limited	Commercial	592.5/37	24/06/2014	14/02/2015
Tawonga South	Vic.	Southern Cross Communications Pty Limited	Commercial	557.5/32	24/06/2014	25/10/2014
Genoa	Vic.	Southern Cross Communications Pty Limited	Commercial	599.5/38	24/06/2014	25/10/2014
Mallacoota	Vic.	Southern Cross Communications Pty Limited	Commercial	683.5/50	24/06/2014	25/10/2014
Latrobe Valley	Vic.	Southern Cross Communications Pty Limited	Commercial	529.5/28	24/06/2014	25/10/2014
Western Victoria	Vic.	Southern Cross Communications Pty Limited	Commercial	219.5/11	24/06/2014	25/10/2014
Foster	Vic.	Southern Cross Communications Pty Limited	Commercial	634.5/43	24/06/2014	25/10/2014
Kiewa	Vic.	Southern Cross Communications Pty Limited	Commercial	634.5/43	24/06/2014	25/10/2014



Glenden	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	24/06/2014	07/12/2014
Crediton IBL	Qld	Channel Seven Queensland Pty Limited	Commercial	662.5/47	24/06/2014	07/12/2014
Darling Downs	Qld	Channel Seven Queensland Pty Limited	Commercial	543.5/30	24/06/2014	07/12/2014
Mackay	Qld	Channel Seven Queensland Pty Limited	Commercial	543.5/30	24/06/2014	07/12/2014
Nebo	Qld	Channel Seven Queensland Pty Limited	Commercial	585.5/36	24/06/2014	07/12/2014
Gympie	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	24/06/2014	07/12/2014
Nambour	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	24/06/2014	07/12/2014
Noosa/ Tewantin	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	24/06/2014	07/12/2014
Dysart	Qld	Channel Seven Queensland Pty Limited	Commercial	627.5/42	24/06/2014	07/12/2014
Wynyard	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	543.5/30	24/06/2014	25/06/2015
Cygnnet	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	648.5/45	24/06/2014	25/06/2015
Orford	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	627.5/42	24/06/2014	25/06/2015
East Devonport	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	571.5/34	24/06/2014	25/06/2015
Penguin	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	571.5/34	24/06/2014	25/06/2015
Ulverstone	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	571.5/34	24/06/2014	25/06/2015
Taroona	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	613.5/40	24/06/2014	25/06/2015
Hobart NE Suburbs	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	669.5/48	24/06/2014	25/06/2015
Dover	Tas.	Southern Cross Television (TNT9) Pty Limited	Commercial	669.5/48	24/06/2014	25/06/2015
Wynyard	Tas.	WIN Television TAS Pty Ltd	Commercial	564.5/33	24/06/2014	30/06/2015
Cygnnet	Tas.	WIN Television TAS Pty Ltd	Commercial	634.5/43	24/06/2014	30/06/2015
East Devonport	Tas.	WIN Television TAS Pty Ltd	Commercial	592.5/37	24/06/2014	30/06/2015
Penguin	Tas.	WIN Television TAS Pty Ltd	Commercial	592.5/37	24/06/2014	30/06/2015
Ulverstone	Tas.	WIN Television TAS Pty Ltd	Commercial	592.5/37	24/06/2014	30/06/2015
Taroona	Tas.	WIN Television TAS Pty Ltd	Commercial	634.5/43	24/06/2014	30/06/2015
Hobart NE Suburbs	Tas.	WIN Television TAS Pty Ltd	Commercial	676.5/49	24/06/2014	30/06/2015
Dover	Tas.	WIN Television TAS Pty Ltd	Commercial	676.5/49	24/06/2014	30/06/2015
Tawonga South	Vic.	WIN Television Vic Pty Ltd	Commercial	543.5/30	24/06/2014	08/02/2015
Genoa	Vic.	WIN Television Vic Pty Ltd	Commercial	592.5/37	24/06/2014	08/02/2015
Mallacoota	Vic.	WIN Television Vic Pty Ltd	Commercial	676.5/49	24/06/2014	08/02/2015
Latrobe Valley	Vic.	WIN Television Vic Pty Ltd	Commercial	550.5/31	24/06/2014	08/02/2015
Foster	Vic.	WIN Television Vic Pty Ltd	Commercial	641.5/44	24/06/2014	08/02/2015
Kiewa	Vic.	WIN Television Vic Pty Ltd	Commercial	627.5/42	24/06/2014	08/02/2015
Selby	Vic.	Network Ten (Melbourne) Pty Limited	Commercial	599.5/38	24/06/2014	03/10/2014

Upwey	Vic.	Network Ten (Melbourne) Pty Limited	Commercial	599.5/38	24/06/2014	03/10/2014
Tawonga South	Vic.	Prime Television (Victoria) Pty Limited	Commercial	536.5/29	24/06/2014	13/12/2014
Mallacoota	Vic.	Prime Television (Victoria) Pty Limited	Commercial	669.5/48	24/06/2014	13/12/2014
Foster	Vic.	Prime Television (Victoria) Pty Limited	Commercial	648.5/45	24/06/2014	13/12/2014
Upper Namoi	NSW	Prime Television (Northern) Pty Limited	Commercial	543.5/30	24/06/2014	30/01/2015
Grafton/ Kempsey	NSW	Prime Television (Northern) Pty Limited	Commercial	578.5/35	24/06/2014	30/01/2015
Murwillumbah	Qld	Prime Television (Northern) Pty Limited	Commercial	543.5/30	24/06/2014	30/01/2015
Richmond/ Tweed	NSW	Prime Television (Northern) Pty Limited	Commercial	543.5/30	24/06/2014	30/01/2015
Port Stephens	NSW	Prime Television (Northern) Pty Limited	Commercial	557.5/32	24/06/2014	30/01/2015
Crediton IBL	Qld	WIN Television QLD Pty Ltd	Commercial	669.5/48	24/06/2014	17/10/2014
Darling Downs	Qld	WIN Television QLD Pty Ltd	Commercial	550.5/31	24/06/2014	17/10/2014
Mackay	Qld	WIN Television QLD Pty Ltd	Commercial	564.5/33	24/06/2014	17/10/2014
Nebo	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	24/06/2014	17/10/2014
Gympie	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Nambour	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Noosa/ Tewantin	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Dysart	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Townsville	Qld	WIN Television QLD Pty Ltd	Commercial	578.5/35	24/06/2014	17/10/2014
Gympie Town	Qld	WIN Television QLD Pty Ltd	Commercial	655.5/46	24/06/2014	17/10/2014
Sunshine Coast North	Qld	WIN Television QLD Pty Ltd	Commercial	655.5/46	24/06/2014	17/10/2014
Southern Downs	Qld	WIN Television QLD Pty Ltd	Commercial	592.5/37	24/06/2014	17/10/2014
Rockhampton East	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Gladstone East	Qld	WIN Television QLD Pty Ltd	Commercial	550.5/31	24/06/2014	17/10/2014
Monto	Qld	WIN Television QLD Pty Ltd	Commercial	634.5/43	24/06/2014	17/10/2014
Wynyard	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	557.5/32	25/06/2014	20/11/2014
Cygnets	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	627.5/42	25/06/2014	20/11/2014
Orford	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	641.5/44	25/06/2014	20/11/2014
Acton Road	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	571.5/34	25/06/2014	20/11/2014
Hobart NE Suburbs	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	690.5/51	25/06/2014	20/11/2014
Dover	Tas.	Tasmanian Digital Television Pty Ltd	Commercial	683.5/50	25/06/2014	20/11/2014
Esk	Qld	Network Ten (Brisbane) Pty Limited	Commercial	599.5/38	25/06/2014	03/10/2014
Boonah	Qld	Network Ten (Brisbane) Pty Limited	Commercial	641.5/44	25/06/2014	03/10/2014

Sunshine Coast South	Qld	Network Ten (Brisbane) Pty Limited	Commercial	599.5/38	25/06/2014	03/10/2014
Crediton IBL	Qld	Regional Television Pty Limited	Commercial	676.5/49	25/06/2014	08/05/2015
Darling Downs	Qld	Regional Television Pty Limited	Commercial	557.5/32	25/06/2014	08/05/2015
Nebo	Qld	Regional Television Pty Limited	Commercial	599.5/38	25/06/2014	08/05/2015
Gympie	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015
Nambour	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015
Noosa/Tewantin	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015
Dysart	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015
Southern Downs	Qld	Regional Television Pty Limited	Commercial	599.5/38	25/06/2014	08/05/2015
Rockhampton East	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015
Gladstone East	Qld	Regional Television Pty Limited	Commercial	557.5/32	25/06/2014	08/05/2015
Monto	Qld	Regional Television Pty Limited	Commercial	641.5/44	25/06/2014	08/05/2015

**Table 51: Broadcasting service apparatus licence variations, 2013–14**

Applicant	Radio/ TV	Area	Frequency (MHz)/channel	Date of effect	Date of expiry
RBA Holdings Pty Ltd	TV	Mt Cowley IBL	802.5/67	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Mt Cowley IBL	816.5/69	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Mt Cowley IBL	795.5/66	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Mt Cowley IBL	781.5/64	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Tanybryn IBL	802.5/67	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Tanybryn IBL	816.5/69	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Tanybryn IBL	795.5/66	16/07/2013	13/07/2014
RBA Holdings Pty Ltd	TV	Tanybryn IBL	781.5/64	16/07/2013	13/07/2014
Australian Broadcasting Corporation	TV	Goshen/Goulds Country	578.5/35	01/12/2012	30/11/2013
Australian Broadcasting Corporation	TV	Goondiwindi	620.5/41	01/12/2012	30/11/2013
Southern Cross Television (Tnt9) Pty Limited	TV	Rosebery	550.5/31	29/06/2013	25/06/2014
NBN Ltd	TV	Upper Hunter IBL	809.5/68	12/02/2013	11/02/2014
Prime Television (Victoria) Pty Limited	TV	Eildon	578.5/35	14/12/2013	13/12/2014
Southern Cross Communications Pty Limited	TV	Eildon	599.5/38	01/03/2013	01/03/2014
WIN Television Vic Pty Ltd	TV	Eildon	585.5/36	09/02/2014	08/02/2015
FNQ Broadcasters Cairns Pty Limited	Radio	Cairns	99.5	27/08/2013	03/03/2015
Regional Broadcasters Australia Pty Limited	Radio	Gladstone	93.5	21/01/2013	20/01/2014
Whitsundays Broadcasters Pty Limited	Radio	Mackay	98.6	27/08/2013	26/08/2014
RBA Holdings Pty Ltd	TV	Cootamundra	746.5/59	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Cootamundra	767.5/62	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Cootamundra	809.5/68	20/10/2013	19/10/2014

RBA Holdings Pty Ltd	TV	Cootamundra	725.5/56	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Cootamundra	788.5/65	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Eugowra	718.5/55	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Eugowra	739.5/58	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Eugowra	781.5/64	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Eugowra	802.5/67	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Eugowra	760.5/61	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Harden	739.5/58	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Harden	753.5/60	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Harden	795.5/66	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Harden	718.5/55	20/10/2013	19/10/2014
RBA Holdings Pty Ltd	TV	Harden	774.5/63	20/10/2013	19/10/2014
United Christian Broadcasters Australia Limited	Radio	Albany	93.7	29/01/2014	01/02/2014
Shire of Shark Bay	TV	Denham	606.5/39	02/08/2013	14/02/2015
Cobar Shire Council	Radio	Cobar	101.3	24/03/2014	10/08/2015
Shire of Mukinbudin	Radio	Mukinbudin	89.1	01/05/2014	04/05/2014
2KY Broadcasters Pty Ltd	Radio	Batemans Bay	93.6	02/07/2014	30/06/2015
Harrierville Television Inc.	TV	Harrierville	655.5/46	07/07/2014	01/01/2015
Falls Creek Ski Lifts Pty Ltd	TV	Falls Creek	620.5/41	01/01/2014	31/12/2014
Harrierville Television Inc.	TV	Harrierville	676.5/49	07/07/2014	01/01/2015
Harrierville Television Inc.	TV	Harrierville	683.5/50	07/07/2014	01/01/2015
Harrierville Television Inc.	TV	Harrierville	669.5/48	07/07/2014	01/01/2015
Harrierville Television Inc.	TV	Harrierville	662.5/47	07/07/2014	01/01/2015
Falls Creek Ski Lifts Pty Ltd	TV	Falls Creek	641.5/44	01/01/2014	31/12/2014
Falls Creek Ski Lifts Pty Ltd	TV	Falls Creek	627.5/42	01/01/2014	31/12/2014
Falls Creek Ski Lifts Pty Ltd	TV	Falls Creek	634.5/43	01/01/2014	31/12/2014
Falls Creek Ski Lifts Pty Ltd	TV	Falls Creek	613.5/40	01/01/2014	31/12/2014

**Table 52: Special events, 2013–14**

State	Area	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
NSW	Sydney CBD	China Radio Network Pty Ltd	91.6	02/09/2013	01/10/2013
NSW	Sydney	Bassem El Mir	107.9	11/08/2013	18/08/2013
ACT	Canberra	Tim Kuschel	99.5	04/10/2013	13/10/2013
NSW	Nambucca Heads (SE)	Drag-ens Hot Rod Club	88.7	22/09/2013	29/09/2013
NSW	Marsden Park	Sounddec Pty Ltd	107.9	03/10/2013	06/10/2013
ACT	Bathurst	JPJ Audio Pty Limited	103.9	07/10/2013	13/10/2013
ACT	Maribyrnong	Maribyrnong Festival Limited/Big West Festival	99.9	22/11/2013	01/12/2013
ACT	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	61.2	17/01/2014	17/01/2014
ACT	WACA Ground (SE)	Sounddec Pty Ltd	61.2	01/03/1220	17/12/2013
ACT	Fremantle	Fremantle Sailing Club Inc.	89.1	09/11/2013	11/11/2013
ACT	Darwin	Australian Broadcasting Corporation	106.5	05/09/2013	07/09/2013

ACT	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	400	17/01/2014	17/01/2014
ACT	Adelaide (SE)	Sounddec Pty Ltd	61.2	03/12/2013	09/12/2013
ACT	Sydney (SE)	Sounddec Pty Ltd	61.2	03/01/2014	07/01/2014
ACT	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	61.2	26/12/2013	30/12/2013
ACT	Sydney (SE)	Sounddec Pty Ltd	61.2	03/01/2014	07/01/2014
ACT	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	61.2	12/01/2014	12/01/2014
ACT	Sydney (SE)	Sounddec Pty Ltd	62.7	19/01/2014	19/01/2014
ACT	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	62.7	24/01/2014	24/01/2014
ACT	Adelaide Oval (SE)	Sounddec Pty Ltd	61.2	26/01/2014	26/01/2014
ACT	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	61.2	29/01/2014	29/01/2014
ACT	ANZ Stadium Homebush (SE)	Sounddec Pty Ltd	61.2	02/02/2014	02/02/2014
ACT	Melbourne	Sounddec Pty Ltd	61.2	31/01/2014	31/01/2014
ACT	Adelaide Oval (SE)	Sounddec Pty Ltd	61.2	05/12/2013	09/12/2013
ACT	Sydney (SE)	Sounddec Pty Ltd	61.2	02/02/2014	02/02/2014
ACT	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	61.2	31/01/2014	31/01/2014
Vic.	Docklands	Madeleine Flynn	89.5	16/11/2013	15/12/2013
NSW	Sydney	Islamic Radio and Communication Limited	107.9	13/02/1971	26/10/2013
NSW	Riversdale (SE)	Bundanon Trust	99.7	09/10/2013	13/10/2013
Vic.	Melbourne	Riedel Communications Australia Pty Ltd	99.7	25/09/2013	29/09/2013
SA	Mt Gambier	Bushvision	590.25/37	07/11/2013	10/11/2013
Tas.	Burnie (SE)	Burnie Sports & Events Pty Ltd	100.1	19/10/2013	20/10/2013
ACT	Homebush	Sounddec Pty Ltd	62.7	02/02/2014	02/02/2014
ACT	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	61.2	19/01/2014	19/01/2014
ACT	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	62.7	03/01/2014	07/01/2014
ACT	WACA Ground (SE)	Sounddec Pty Ltd	62.7	24/01/2014	24/01/2014
ACT	WACA Ground (SE)	Sounddec Pty Ltd	62.7	13/12/2013	17/12/2013
ACT	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	62.7	23/12/2013	30/12/2013
ACT	Adelaide Oval (SE)	Sounddec Pty Ltd	62.7	11/01/2014	12/01/2014
ACT	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	62.7	31/01/2014	31/01/2014
ACT	Briabane Cricket Ground (SE)	Sounddec Pty Ltd	62.7	03/12/2013	09/12/2013
ACT	Adelaide Oval (SE)	Sounddec Pty Ltd	62.7	26/01/2014	26/01/2014
ACT	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	62.7	19/11/2013	25/11/2013

ACT	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	62.7	17/01/2014	17/01/2014
ACT	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	62.7	29/01/2014	29/01/2014
Qld	Gold Coast Skilled Park (SE)	Sounddec Pty Ltd	62.7	12/10/2013	13/10/2013
NSW	Sydney	Riedel Communications Australia Pty Ltd	90.7	28/09/2013	06/10/2013
NSW	Sydney	Riedel Communications Australia Pty Ltd	90.7	28/09/2013	06/10/2013
Vic.	Mildura	Mildura Country Music Festival Inc.	93.5	26/09/2013	07/10/2013
Vic.	Mildura (SE)	Arts Mildura Jazz Food & Wine Festival	93.5	17/10/2013	05/11/2013
Vic.	Phillip Island	Australian Grand Prix	809.5/68	14/10/2013	20/10/2013
ACT	Canberra	Tim Kuschel	99.5	01/11/2013	03/11/2013
NSW	Sydney	Tele Visions	681.25/50	28/11/2013	03/12/2013
SA	Adelaide (SE)	Staging Connections Pty Limited	94.3	14/11/2013	17/11/2013
Qld	Townsville	Australian Broadcasting Corporation	90.9	10/11/2013	10/11/2013
NSW	Sydney (SE)	Bankstown and Surrounding Areas Community Radio Inc.	91.6	05/11/2013	04/12/2013
NSW	Tamworth (SE)	Agricultural Publishers Pty Limited	106.1	15/01/2014	27/01/2014
Tas.	Scotsdale	North Eastern Agricultural & Pastoral Society Incorporated	101.9	14/11/2013	16/11/2013
Tas.	Launceston	Launceston Cycling Classic Inc.	94.9	08/12/2013	09/12/2013
SA	Adelaide (SE)	South Australian Motorsport Board Pty Ltd	94.3	24/02/2014	02/03/2014
ACT	Canberra (SE)	Summernats Pty Ltd	99.5	30/12/2013	05/01/2014
NSW	Sydney City (SE)	China Radio Network Pty Ltd	91.6	21/01/2014	19/02/2014
Vic.	Melbourne	Usana Australia Pty Ltd	89.3	05/01/2014	19/01/2014
Vic.	Melbourne Rod Laver Arena (SE)	Tennis Australia Limited	99.7	11/01/2014	27/01/2014
NSW	Sydney	Australian Racing Drivers Club Ltd	91.5	08/03/2014	09/03/2014
ACT	Canberra (SE)	I & J & R Ozerskis	99.5	21/02/2014	23/02/2014
NSW	Eastern Creek International Raceway (SE)	Sounddec Pty Ltd	61.2	08/03/2014	09/03/2014
Qld	Townsville (SE)	Townsville City Council	90.1	03/04/2014	05/04/2014
SA	Nuriootpa (SE)	Uniting Church in Australia	97.7	22/03/2014	23/03/2014
WA	Busselton	3 Monkeys Audiovisual	94.9	02/05/2014	03/05/2014
ACT	Canberra	My Local Radio Station Pty Limited	99.5	27/06/2014	04/08/2014
NSW	Eastern Creek International Raceway (SE)	Sounddec Pty Ltd	62.7	08/03/2014	09/03/2014
NSW	Sydney SE	Australian Film Television & Radio School	107.9	10/04/2014	24/04/2014
ACT	Canberra	My Local Radio Station Pty Limited	93.5	27/06/2014	04/08/2014
Vic.	Melbourne SE	Australian Grand Prix	99.7	10/03/2014	18/03/2014

ACT	Canberra	Tim Kuschel T/A Guz Box	99.5	14/03/2014	16/03/2014
ACT	Canberra	Tim Kuschel T/A Guz Box	99.5	04/04/2014	06/04/2014
Qld	Boyne Island SE	Boyne Tannum HookUp Association Inc.	103.9	01/05/2014	04/05/2014
NSW	Lakemba	Islamic Radio and Communication Limited	107.9	28/06/2014	29/07/2014
NSW	Sydney (SE)	Bassem El Mir	91.6	28/06/2014	29/07/2014
SA	Loxton (SE)	Bob's Sound Systems Pty Ltd	97.7	03/05/2014	04/05/2014
NSW	Webbs Creek (SE)	NSW Endurance Riders Association	89.5	12/06/2014	16/06/2014
Vic.	Melbourne (SE)	Australian Muslim Media Inc.	99.7	28/06/2014	29/07/2014
WA	Joondalup	3 Monkeys Audiovisual	88.9	18/07/2014	20/07/2014
WA	Mt Lawley	3 Monkeys Audiovisual	88.9	08/08/2014	10/08/2014
Vic.	Springvale (SE)	Mccall Communications Pty Ltd	99.7	08/09/2014	14/09/2014
NSW	Lakemba	Islamic Radio and Communication Limited	107.9	28/06/2014	20/07/2014
NSW	St Albans	Shahzada 400 Incorporated	89.5	16/08/2014	31/08/2014
NSW	Sydney	Sydney Opera House Trust	91.6	16/05/2014	12/06/2014
WA	Bentley (SE)	3 Monkeys Audiovisual	89.1	02/08/2014	03/08/2014
Qld	Meandarra	Tripoli Rocketry Queensland Inc.	101.1	20/06/2014	29/06/2014
Qld	Townsville	JPJ Audio Pty Limited	96.3	04/07/2014	06/07/2014
Qld	Atherton SE	Department of Defence	89.7	01/07/2014	31/07/2014
Qld	Townsville SE	Department of Defence	89.7	01/07/2014	31/07/2014

# Appendix 5:

## Programs and content

Table 53: Programs granted children's or preschool classification, 2013–14

Program title	Style	Type	Origin	Applicant
<b>Children's—C</b>				
<i>It's Academic</i> (series 19, episodes IAC19/001–IAC19/065)	Live action	Light entertainment—Competition/Game show	Australia	Seven Network (Operations) Limited
<i>Kitchen Whiz</i> (series 6, episodes KW06/01–KW06/70)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Match It</i> (series 3, episodes MATI3-001–MATI3-065)	Live action	Light entertainment—Competition/Game show	Australia	Match It Media Pty Ltd
<i>Scope</i> (series 3, episodes Scope 3/001–180)	Live action	Light entertainment—Information/Magazine	Australia	Network TEN Pty Ltd
<i>Move It</i> (series 1, episodes MI001/01–MI001/65)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Totally Wild</i> (series 22, episodes TW22/001–TW22/180)	Live action	Light entertainment—Information/Magazine	Australia	Network TEN Pty Ltd
<i>Move It</i> (series 2, episodes MI002/01–MI002/65)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Match It</i> (series 4, episodes MATI4-001–MATI4-065)	Live action	Light entertainment—Competition/Game show	Australia	Match It Media Pty Ltd
<b>Provisional—PRC</b>				
<i>Move It</i> (series 1, episodes MI001/01–MI001/65)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Dinosaur Island</i> (feature)	Live action	Drama—Feature	Australia	Extinct Production Pty Ltd
<i>Fanshaw &amp; Crudnut</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Beyond Screen Production Pty Ltd
<i>Dream Dogs</i> (telemovie)	Live action	Drama—Feature	Australia	SLR Productions Pty Ltd
<i>The Deep</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	A Stark Production Pty Ltd
<i>Flushed</i> (series 1, episodes 1–65)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Bottersnikes &amp; Gumbles</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Cheeky Little Media Pty Ltd
<b>Preschool—P</b>				
<i>Magical Tales</i> (series 5, episodes EP001–EP045)	Live action	Drama—Series	Australia	Ambience Entertainment Pty Ltd
<i>Pipsqueaks</i> (series 1, episodes 1–45)	Live action/Puppetry	Light entertainment—Variety	Australia	Beyond Screen Production Pty Ltd
<i>Lah-Lah's Adventures</i> (series 1, episodes CH7LL01–CH7LL13)	Live action	Drama—Series	Australia	Stella Projects Pty Ltd



<i>Pipsqueaks</i> (series 2, episodes 46–135)	Live action/ Puppetry	Light entertainment— Variety	Australia	Beyond Screen Productions Pty Ltd
<b>Preschool—P—Renewal</b>				
<i>The Fairies</i> (series 1, episodes 1–52)	Live action/ Animation	Light entertainment— Variety	Australia	The Fairies Development Pty Ltd
<i>The Fairies</i> (series 2, episodes 1–52)	Live action/ Animation	Light entertainment— Variety	Australia	The Fairies Development Pty Ltd
<i>The Fairies</i> (series 3, episodes 1–26)	Live action/ Animation	Light entertainment— Variety	Australia	The Fairies Development Pty Ltd
<b>Provisional—PRP</b>				
<i>Jay's Jungle</i> (series 1, episodes EP001–EP065)	Live action	Light entertainment— Variety	Australia	Ambience Entertainment Pty Ltd
<b>Australian children's drama—CD</b>				
<i>Sally Bollywood</i> (series 2, episodes 1–26)	Animation	Drama—Series	Australia	Three's A Company Pty Ltd
<i>Buzz Bumble</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Creating Buzz Holdings Pty Ltd
<i>Tashi</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Tashi Production Pty Ltd
<i>Jar Dwellers SOS</i> (series 1, episodes TEN 01–TEN 26)	Animation	Drama—Series	Australia	Kalidor Pty Ltd t/a Viskatoons
<i>Mako Island of Secrets</i> (series 2, episodes 1–13)	Live action	Drama—Series	Australia	Jonathan M Shiff Productions Pty Ltd
<i>Hairy Legs</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	Southern Star Entertainment Pty Ltd
<i>In Your Dreams</i> (series 2, episodes 1–26)	Live action	Drama—Series	Australia	Southern Star Entertainment Pty Ltd
<i>Sally Bollywood</i> (series 2, episodes 27–52)	Animation	Drama—Series	Australia	Three's A Company Pty Ltd
<i>Pirate Express</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	Sticky Pictures Pty Ltd
<i>The Day My Butt Went Psycho</i> (series 1, episodes 1A–26B)	Animation	Drama—Series	Australia	Brain Bender Pty Ltd
<i>Mako Island of Secrets</i> (series 2, episodes 14–26)	Live action	Drama—Series	Australia	Jonathan M Shiff Productions Pty Ltd
<i>The Day My Butt Went Psycho</i> (series 1, episodes 27–52)	Animation	Drama—Series	Australia	Brain Bender Pty Ltd
<i>Hairy Legs</i> (series 1, episodes 27–52)	Animation	Drama—Series	Australia	Endemol Australia Pty Ltd
<i>Pirate Express</i> (series 1, episodes 27–52)	Animation	Drama—Series	Australia	Sticky Pictures Pty Ltd
<i>1001 Nights</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	Chocolate Liberation Front Pty Ltd
<i>Captain Flinn and the Pirate Dinosaurs</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	SLR Productions Pty Ltd

**Table 54: Children's television consultants, 2013–14**

Name	Expertise
Donna Andrews	Child development/Production
Dina Browne	Production
Robert Greenberg	Production/Script writer
Stephen Measday	Production/Script writer
Fiona Mitchell	Child development
Rita Princi	Child development
Gina Roncoli	Production/Script writer

# Appendix 6:

## Broadcasting investigations outcomes 2013–14

Table 55: ACMA investigations 1 July 2013 to 30 June 2014

Commercial television				
Breach findings: 17				
Investigation number	Station	Program or issue	Substance of complaint	Outcome
2934	TCN TCN Channel Nine Pty Ltd NSW	<i>A Current Affair</i>	Inaccuracies and negative portrayal in 'All-Asian Mall' segment; inadequate correction	Breach—accuracy Breach—negative light by gratuitous emphasis on ethnic origin Breach—provoke intense dislike and serious contempt on grounds of ethnic origin No breach—create public panic
2950	TCN/TCN Channel Nine Pty Ltd/NSW  GTV/General Television Corporation Pty Ltd/Vic.	<i>The Big Bang Theory</i>	Missing captions	Disregarded breach <sup>^</sup> —missing captions*
2964	BTQ Channel Seven Brisbane Pty Limited Qld	<i>Seven News, Today Tonight, Home and Away</i>	Quality of captions	Disregarded breach <sup>^</sup> —looping captions*
2968	BTQ Channel Seven Brisbane Pty Limited Qld	<i>Home and Away</i>	Missing captions	Disregarded breach <sup>^</sup> —captioning*
3043	TVQ Network Ten (Brisbane) Pty Ltd Qld	<i>Ten News at Five</i>	Inaccurate description of person as an 'expert' on climate change	Breach—complaints-handling No breach—accuracy No breach—present news fairly and impartially
3046	HSV Channel Seven Melbourne Pty Ltd Vic.  BTQ Channel Seven Brisbane Pty Limited Qld	<i>My Kitchen Rules Grand Final</i>	Missing captions	Breach—captioning*

3052	ATV Network TEN (Melbourne) Pty Ltd Vic.	Political advertisement	Political advertisement broadcast without required particulars	Breach—announcement of required particulars in political advertising*
3060	ATN Channel Seven Sydney Pty Ltd NSW	<i>Today Tonight</i>	Misleading dramatisations, inaccuracies, lack of sensitivity in interview with bereaved relative, unfair identification of an individual, gratuitous focus on religion and provocation of dislike, contempt and ridicule on grounds of religion in segment 'The Death of a Believer'. Inaccuracies in promotion for the segment	Breach—accuracy (program) Breach—accuracy (promotion) No breach—dislike, contempt or ridicule on the grounds of religion No breach—fair representation of viewpoints No breach—sensitivity in broadcasting images of or interviews with bereaved relatives No breach—unfairly identifying a single person when commenting on the behaviour of a group No breach—gratuitous emphasis on religion
3085	NRN Northern Rivers Television Pty Ltd NSW	<i>Rugby Union— Australia v British and Irish Lions</i>	Delayed and missing captions	Breach—captioning* Disregarded breach*—providing a captioning service
3095	TEN Network TEN (Sydney) Pty Ltd NSW	<i>Ripper Street</i> (program promotion)	Inappropriate depiction of violence in a program promotion broadcast during a G-classified program	Breach—classification of other material Breach—restrictions in G viewing periods and in certain other G programs
3105	GTV General Television Corporation Pty Ltd Vic.	<i>Nine News</i>	Quality of captions	Breach—captioning*
3124	NEN Prime Television (Northern) Pty Ltd NSW	<i>My Kitchen Rules Grand Final</i>	Missing captions	Breach—captioning*
3165	SAS Channel Seven Adelaide Pty Ltd SA	<i>Toy Box</i>	Children's Television Standards	Breach—broadcast a program other than a P program in a P period* Breach—did not broadcast at least 30 minutes of P material every weekday*
3207	GTV General Television Corporation Pty Ltd Vic.	2013 C program quota	Children's Television Standards  Australian Content Standard	Breach—broadcast a program other than a C program in a C period* Breach—did not broadcast at least 260 hours of C programming* Breach—did not broadcast at least 50 per cent first-release C program in 2013*

3208	QTQ Queensland Television Ltd	2013 C program quota	Children's Television Standards  Australian Content Standard	Breach—broadcast a program other than a C program in a C period* Breach—did not broadcast at least 260 hours of C programming* Breach—did not broadcast at least 50 per cent first-release C program in 2013*
3209	TCN TCN Channel Nine Pty Ltd NSW	2013 C program quota	Children's Television Standards  Australian Content Standard	Breach—broadcast a program other than a C program in a C period* Breach—did not broadcast at least 260 hours of C programming* Breach—did not broadcast at least 50 per cent first-release C program in 2013*
3223	STW Swan Television & Radio Broadcasters Pty Ltd WA	<i>2014 National Rugby League State of Origin series—Game 1</i>	Restriction on the broadcast of an anti-siphoning event	Breach—broadcast of anti-siphoning event on HD multi-channel without simulcasting on primary channel*
<b>No breach findings: 43</b>				
2967	NEN Prime Television (Northern) Pty Ltd NSW	<i>Prime Local News</i>	Quality of captions	No breach—captioning*
2991	SAS Channel Seven Adelaide Pty Ltd SA	<i>Today Tonight</i>	Person's privacy invaded by broadcasting footage filmed at their workplace	No breach—exercising due care in selecting material for broadcast No breach—privacy
3027	VTV WIN Television Pty Ltd Vic.	<i>WIN News Hour</i>	Inaccurate and unfair identification	No breach—accuracy No breach—unfairly identifying a single person when commenting on the behaviour of a group
3028	SAS Channel Seven Adelaide Pty Ltd SA	<i>Sunrise</i>	Promotion of product during interview	No breach—disclosure of commercial arrangement No breach—paid material must be distinguishable No breach—inform licensee of commercial arrangements
3029	ATN Channel Seven Sydney Pty Ltd NSW	<i>Today Tonight</i>	Inaccuracies in segment 'Jewellers break the law'	No breach—accuracy
3033	HSV Channel Seven Melbourne Pty Ltd Vic.	<i>Today Tonight</i>	Inaccurate portrayal of a marginalised individual	No breach—accuracy
3035	QTQ Queensland Television Ltd QLD	<i>60 Minutes</i>	Inaccuracies, invasion of privacy, broadcast of secretly recorded conversation, and contempt for an Amazonian Indigenous community	No breach—accuracy No breach—privacy No breach—racial vilification No breach—use of broadcasting service in commission of offence*
3037	ATV Network TEN (Melbourne) Pty Ltd Vic.	<i>Can of Worms</i>	Ridicule on basis of race	No breach—dislike, contempt or ridicule on grounds of national or ethnic origin

3039	ATN Channel Seven Sydney Pty Ltd NSW	<i>Family Guy</i> (promotion)	Distasteful and offensive treatment of the Christian God	No breach—dislike, contempt or ridicule on grounds of religion
3050	GTV General Television Corporation Pty Ltd Vic.	<i>A Current Affair</i>	Omission of information in segment about parking on nature strips	No breach—accuracy
3053	HSV Channel Seven Melbourne Pty Ltd Vic.	<i>Today Tonight</i>	Photograph of person shown	No breach—privacy
3072	ATN Channel Seven Sydney Pty Ltd NSW	<i>Today Tonight</i>	Inappropriate report on the sale of legal drugs at a time when children could be watching	No breach—classification of other material—exemption for news, current affairs and broadcasts of sporting events
3076	SAS Channel Seven Adelaide Pty Ltd SA	<i>A Place to Call Home</i>	Appropriate consumer advice not provided	No breach—classification of other material (M classification) No breach—consumer advice for certain programs
3083	ATV Network TEN (Melbourne) Pty Ltd Vic.	<i>Bish's Biz</i>	Inaccurate reference to Portia de Rossi as Ellen DeGeneres's 'wife'	No breach—accuracy
3086	TCN TCN Channel Nine Pty Ltd NSW	Godfreys vacuum cleaner advertisement	Political advertisement broadcast without required particulars	No breach—announcement of required particulars in political advertising*
3087	TNQ Regional Television Pty Ltd Qld	<i>Ten News at Five</i>	Reference to asylum-seekers as an 'invasion' was not balanced and impartial	No breach—impartiality
3090	TCN TCN Channel Nine Pty Ltd NSW	<i>Clever Smoke</i> advertisement	Broadcast tobacco advertisement	No breach—tobacco advertisement*
3091	TCN TCN Channel Nine Pty Ltd NSW	<i>The Footy Show</i> (NRL version)	Inappropriate references to children in an M-classified program	No breach—classification of other material (M sex and nudity, adult themes)
3093	SAS Channel Seven Adelaide Pty Ltd SA	<i>Today Tonight</i>	Segment on a family's use of royal titles and related program promotions was inaccurate, misrepresented viewpoints and breached privacy	No breach—accuracy No breach—accuracy in promotions No breach—fair representation of viewpoints No breach—privacy
3094	NRN Northern Rivers Television Pty Ltd NSW	<i>Rugby Union—Australia v New Zealand</i>	Missing captions	No breach—captioning*

3096	QTQ Queensland Television Ltd Qld	<i>Nine News</i>	Care not taken in the selection of material for broadcast in a report on a politician's extramarital affair	No breach—classification of other material—exemption for news, current affairs and broadcasts of sporting events
3098	GTV General Television Corporation Pty Ltd Vic.	<i>A Current Affair</i>	Accuracy; dislike, contempt or ridicule on grounds of ethnicity; fair representation of viewpoints; and portrayal in negative light	No breach—accuracy No breach—dislike, contempt or ridicule on grounds of ethnicity No breach—fair representation of viewpoints No breach—portray in negative light
3104	TCN TCN Channel Nine Pty Ltd NSW	<i>Hamish &amp; Andy's Gap Year Asia</i>	Footage of animal cruelty in a PG-classified program with no consumer advice	No breach—classification of other material (PG themes) No breach—consumer advice for certain programs
3106	TCN TCN Channel Nine Pty Ltd NSW	<i>Nine News</i>	Captions delayed and improperly placed	No breach—captioning*
3110	ATV Network TEN (Melbourne) Pty Ltd Vic.	<i>Clever Smoke advertisement</i>	Broadcast tobacco advertisement	No breach—tobacco advertisement*
3125	TCN TCN Channel Nine Pty Ltd NSW	<i>Friday Night Football</i>	Restrictions on promotion of odds and commercials relating to betting or gambling during live sports broadcasts	No breach—no promotion of odds in scheduled breaks of a live sporting event No breach—no commercials relating to betting or gambling during play during a live sporting event No breach—no commercials relating to betting or gambling before and after play, and during scheduled and unscheduled breaks of a live sporting event
3126	BTQ Channel Seven Brisbane Pty Ltd Qld	<i>Weekend Sunrise</i>	Segment about eco-friendly cars was inaccurate and biased	No breach—accuracy
3128	HSV Channel Seven Melbourne Pty Ltd Vic.	<i>Today Tonight</i>	Inaccuracies in a segment concerning a dermal laser clinic	No breach—accuracy No breach—representation of viewpoint
3143	STQ Channel Seven Queensland Pty Ltd Qld	<i>Seven Local News</i>	Invasion of privacy concerning a child	No breach—privacy No breach—privacy of a child
3145	TWW Channel Seven Perth Pty Ltd WA	<i>Motor Mate</i>	Tobacco advertisement	No breach—tobacco advertisement*
3146	ATV Network TEN (Melbourne) Pty Ltd Vic.	<i>The Biggest Loser: the Next Generation</i>	Provocation of dislike and presentation of participants in reality TV concerning weight loss	No breach—dislike, contempt or ridicule on the grounds of disability No breach—present participants in reality TV programs in a highly demeaning or highly exploitative manner

3147	HSV Channel Seven Melbourne Pty Ltd Vic.	<i>The Blacklist</i>	Inappropriate depictions of violence in M-classified program	No breach—classification of other material (M violence) No breach—material not suitable for television
3148	CBN Prime Television (Southern) Pty Ltd NSW	<i>Weekend Sunrise</i>	Inaccuracy in discussion on measles immunisation	No breach—accuracy
3150	SAS Channel Seven Adelaide Pty Ltd SA	<i>The Morning Show</i>	Inappropriate depiction of sex in a PG-classified program	No breach—classification of other material (PG sex and nudity)
3153	GWN Golden West Satellite Communications Pty Ltd WA	<i>Seven News</i>	Misleading and violent footage in news segment	No breach—accuracy No breach—exercise care in selection of broadcast material No breach—warnings
3170	GTV General Television Corporation Pty Ltd Vic.	<i>The Ashes: Fifth Test—Australia v England, Day Three, Afternoon Session</i>	Inappropriate language	No breach—classification of other material—exemption for news, current affairs and broadcasts of sporting events
3173	RTQ WIN Television Queensland Pty Ltd Qld	Election advertisement	Broadcast of an election advertisement during the 'blackout' period	No breach—election advertisement*
3179	QTQ Queensland Television Ltd Qld	<i>A Current Affair</i>	Privacy in footage of theme park	No breach—privacy
3180	TCN TCN Channel Nine Pty Ltd NSW	<i>Ashes Test Cricket coverage</i>	Dislike, contempt or ridicule on grounds of race	No breach—dislike, contempt or ridicule on grounds of race
3181	TNT Southern Cross Television Tas.	<i>Sunrise</i>	Dislike, contempt or ridicule on grounds of race	No breach—dislike, contempt or ridicule on grounds of race
3187	NEW Network TEN (Perth) Pty Ltd WA	<i>Roy and HG's Russian Revolution</i>	Severe ridicule on grounds of nationality	No breach—dislike, contempt or ridicule on grounds of nationality
3191	TCN TCN Channel Nine Pty Ltd NSW	<i>Millionaire Hot Seat</i>	Dislike, contempt or ridicule	No breach—dislike, contempt or ridicule
3200	TCN TCN Channel Nine Pty Ltd NSW	<i>Today</i>	Inappropriate depictions of nudity and sexual behaviour	No breach—classification of other material—exemption for news, current affairs and broadcasts of sporting events

<sup>a</sup>Under section 130ZUB of the BSA, captioning breaches by commercial or national broadcasters are disregarded if caused by unforeseen and significant technical or engineering difficulties.

<sup>\*</sup>Investigation against a licence condition, standard or provision of the BSA.



ABC television

Breach findings: 1

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3119	ABN, ABQ, ABS ABV ABC TV NSW, Qld, SA, Vic.	<i>The Hamster Decides</i>	Broadcast of offensive content and language	Breach—harm and offence—must be justified by editorial context No breach—harm and offence—labels, warnings or advice No breach—harm and offence—classification and scheduling (MA15+ themes, language)

No breach findings: 33

2956	ABN ABC TV NSW	<i>Catalyst</i>	Inaccuracies in segment on sea level rises	No breach—accuracy
2997	ABN ABC TV NSW	<i>Gruen Planet</i>	Quality of captions	No breach—captioning*
3021	ABN ABC TV NSW	<i>Mad as Hell</i>	Offensive reference to Jesus Christ	No breach—harm and offence
3025	ABC TV ACT	<i>ABC News</i>	Reference to a politician as a 'terrorist' was inaccurate and displayed bias. No opportunity to respond	No breach—accuracy No breach—impartiality No breach—unduly favour one perspective No breach—opportunity to respond No breach—attribute information to its source
3036	ABV ABC TV Vic.	Q&A	Anti-creationism bias	No breach—diversity of perspective No breach—not misrepresent any perspectives No breach—unduly favour one perspective
3041	ABC TV ACT	<i>The Drum</i>	Panellists' comments derogatory to individuals with mental illness	No breach—harm or offence No breach—stereotypes or discriminatory content
3042	ABQ ABC TV Qld	Q&A	Political bias in treatment of panellists	No breach—impartiality No breach—editorial opinion No breach—misrepresentation of perspective No breach—unduly favour one perspective
3059	ABV ABC TV Vic.	<i>The Elegant Gentleman's Guide to Knife Fighting</i>	Offensive image of Christ in comedy sketch	No breach—harm or offence
3066	ABN ABC TV NSW	<i>Four Corners</i>	The segment was inaccurate, biased and one-sided	No breach—accuracy No breach—materially mislead No breach—impartiality No breach—unduly favour one perspective
3069	ABN ABC TV NSW	<i>The Checkout</i>	Use of phrase offensive to Christians	No breach—harm and offence
3073	ABN ABC TV NSW	<i>ABC News 24</i>	Insensitive comments in report on sentencing of an Italian politician	No breach—harm and offence

3074	ABV ABC TV Vic.	<i>You're Skitting Me</i>	Use of 'ranga' was offensive and discriminatory	No breach—harm and offence No breach—stereotypes or discriminatory content
3077	ABV ABC TV Vic.	Q&A	Insulting reference to authors of the Gospels	No breach—harm and offence
3082	ABT ABC TV Tas.	7.30	Bias in interview with former Opposition Leader	No breach—accuracy No breach—impartiality No breach—harm and offence
3103	ABS ABC TV SA	<i>Funny As: Steve Coogan</i>	Inappropriate coarse language	No breach—television classifications (MA15+ language)
3107	ABW ABC TV WA	<i>Catalyst</i>	Bias and inaccuracies in segment on fluoridation	No breach—accuracy No breach—materially mislead No breach—impartiality No breach—present diversity of perspectives over time No breach—unduly favour one perspective
3108	ABV ABC TV Vic.	<i>Adam Hill Tonight</i>	Upsetting footage	No breach—harm and offence No breach—warning
3118	ABT ABC TV Tas.	<i>ABC News</i>	News report about a man acquitted of sexual assault charges was biased and an invasion of privacy	No breach—impartiality No breach—privacy
3122	ABQ ABC TV Qld	<i>Lateline</i>	Accuracy concerning political affiliations	No breach—accuracy
3136	ABV ABC TV Vic.	<i>ABC News 24—Julia Gillard in conversation with Anne Summers</i>	Biased interview with former Prime Minister	No breach—impartiality No breach—diversity of perspectives
3137	ABQ ABC TV Qld	<i>ABC News—'Fact Check'</i>	Bias in discussion of asylum-seeker policy	No breach—accuracy No breach—materially mislead No breach—impartiality No breach—misrepresent any perspective
3138	ABN ABC TV NSW	<i>Catalyst</i>	Bias and inaccuracies in program about chiropractic treatment	No breach—accuracy No breach—materially mislead No breach—impartiality No breach—diversity of perspectives No breach—unduly favour one perspective over another
3139	ABN ABC TV NSW	<i>Gruen Planet</i>	One-sided treatment of current debate on same-sex marriage	No breach—impartiality No breach—unduly favour one perspective
3149	ABV ABC TV Vic.	Q&A	Use of explicit language	No breach—representation of viewpoints No breach—harm and offence
3158	ABN ABC TV NSW	<i>ABC News Breakfast</i>	Bias and accuracy during interview with the Hon. Greg Hunt, MP	No breach—accuracy No breach—impartiality No breach—editorial opinion No breach—unduly favour one perspective

3161	ABW	<i>ABC News 24</i>	Accuracy and misleading presentation of factual content	No breach—accuracy No breach—materially mislead
3172	ABW ACT TV WA	<i>ABC News 24</i>	Bias in news ticker statement	No breach—impartiality No breach—editorial opinion
3174	ABW ABC TV Perth	<i>Dumb, Drunk and Racist</i>	Bias in portrayal of Australians and use of stereotypes	No breach—impartiality No breach—stereotypes or discriminatory content
3178	ABN ABC TV NSW	<i>Media Watch</i>	Opportunity to respond to allegations	No breach—opportunity to respond to allegations
3188	ABW ABC TV WA	<i>The Insiders</i>	Accuracy and bias	No breach—accuracy No breach—impartiality
3189	ABV ABC TV Vic.	<i>ABC News</i>	Inaccurate visual footage and impartiality	No breach—accuracy No breach—impartiality
3193	ABV ABC TV Vic.	<i>7.30</i>	Accuracy	No breach—accuracy
3206	ABV ABC TV Vic.	<i>The Drum</i>	Accuracy and stereotypes in comments about Australia's Bicentennial	No breach—accuracy No breach—stereotypes or discriminatory content

#### SBS television

No breach findings: 2

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3097	SBS SBS TV ACT	<i>Housos</i> (program promotion)	Program promotion contained offensive images	No breach—classification categories (PG sex and nudity) No breach—time zones
3183	SBS SBS TV Qld	<i>JFK: The Smoking Gun</i>	Diversity of views and perspectives in reports on inquiries into assassination	No breach—diversity of views and perspectives

#### Subscription television

No breach findings: 2

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3120	Sky News	<i>Paul Murray Live</i>	Election advertising during blackout period	No breach—election advertising*
3196	World Movies Channel Foxtel	<i>Donkey Punch</i>	Inappropriate depictions of violence and sex	No breach—classification and placement of programming (R18 classification)

No findings: 2

3061	Channel FX+2 Foxtel	<i>Da Vinci's Demons</i>	Quality of captions	No finding*
3084	Lifestyle Channel Foxtel	<i>Grand Designs Australia</i>	Quality of captions	No finding*

\*Investigation against a licence condition, standard or provision of the BSA.

Commercial radio

Breach findings: 18

Investigation number	Station	Program or issue	Substance of complaint	Outcome
2929	5AA Festival City Broadcasters Pty Ltd SA	<i>Bob Francis</i>	Unjustified language and invasion of privacy in comments about a caller. Complaints-handling	Breach—complaints-handling No breach—decency No breach—privacy
2947	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about corruption in a government agency. Complaints-handling	Breach—complaints-handling No breach—accuracy No breach—present significant viewpoints
2952	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about government expenditure and the NBN, and alternative viewpoints not presented. Complaints-handling	Breach—complaints-handling No breach—accuracy
2953	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about public service wages. Complaints-handling	Breach—accuracy Breach—complaints-handling
2954	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about US economy. Complaints-handling	Breach—complaints-handling No breach—accuracy
2960	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about government expenditure and the NBN, and alternative viewpoints not presented. Complaints-handling	Breach—complaints-handling No breach—accuracy No breach—present significant viewpoints
2962	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate comments about power stations. Complaints-handling	Breach—accuracy No breach—factual material is clearly distinguishable from commentary and analysis No breach—present significant viewpoints No breach—presentation of material in misleading manner No finding—complaints-handling
3054	2GB Harbour Radio Pty Limited NSW	<i>The Ray Hadley Morning Show</i>	Discussion about asylum-seekers. Complaints-handling	Breach—complaints-handling No breach—accuracy
3062	2GB Harbour Radio Pty Limited NSW	<i>Chris Smith Afternoon Show</i>	Discussion about asylum-seekers. Complaints-handling	Breach—complaints-handling No breach—accuracy

3063	2GB Harbour Radio Pty Limited NSW	<i>Ray Hadley Morning Show</i>	Discussion about asylum-seekers. Complaints- handling	Breach—complaints-handling No finding—accuracy
3065	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccuracies in 'NBN disaster'	Breach—accuracy
3075	2GB Harbour Radio Pty Limited NSW	<i>Alan Jones Breakfast Show</i>	Inaccurate report of the death of a rugby league player at a time when he was still on life support. Complaints- handling	Breach—complaints-handling No breach—accuracy
3100	2GB Harbour Radio Pty Limited NSW	<i>Ray Hadley Morning Show</i>	Use of the term 'lunatic' stigmatises people with a mental illness. Complaints- handling	Breach—complaints-handling No breach—dislike, contempt or ridicule on grounds of disability
3101	2GF 2GFM AM Radio Pty Ltd NSW	<i>2GF Valley Sports</i>	Offensive comments by presenter about a representative of a local sporting club	Breach—complaints-handling No breach—decency
3132	3NNN North East Broadcasters Pty Ltd Vic.	Reporting to the ACMA following a trigger event	Failure to submit a 'draft local content plan' and 'statement' (that included a 'local presence report') following a trigger event	Breach—submit a draft local content plan to the ACMA within 90 days of a trigger event* Breach—submit a report on the existing level of local presence to the ACMA within 90 days of a trigger event*
3133	3NE North East Broadcasters Pty Ltd Vic.	Reporting to the ACMA following a trigger event	Failure to submit a 'draft local content plan' and 'statement' (that included a 'local presence report') following a trigger event	Breach—submit a draft local content plan to the ACMA within 90 days of a trigger event* Breach—submit a report on the existing level of local presence to the ACMA within 90 days of a trigger event*
3134	2QN Rich Rivers Radio Pty Ltd NSW	Reporting to the ACMA following a trigger event	Failure to submit a 'draft local content plan' and 'statement' (that included a 'local presence report') following a trigger event	Breach—submit a draft local content plan to the ACMA within 90 days of a trigger event* Breach—submit a report on the existing level of local presence to the ACMA within 90 days of a trigger event*
3135	2MOR Rich Rivers Radio Pty Ltd NSW	Reporting to the ACMA following a trigger event	Failure to submit a 'draft local content plan' and 'statement' (that included a 'local presence report') following a trigger event	Breach—submit a draft local content plan to the ACMA within 90 days of a trigger event* Breach—submit a report on the existing level of local presence to the ACMA within 90 days of a trigger event*

No breach findings: 20

2978	6PR Radio 6PR Perth Pty Ltd WA	<i>Drive</i>	Advocacy of suicide, violence and illegal drugs; misleading information; failure to correct errors; offensive language; religious vilification; advertisement of medicine without TGA approval. Complaints-handling	No breach—accuracy No breach—advertisement for therapeutic goods* No breach—complaints-handling No breach—correct errors No breach—decency No breach—depict suicide favourably No breach—encourage brutality No breach—hatred, contempt or ridicule because of religion No breach—incite violence and encourage brutality No breach—incitement of violence No breach—present use of illegal drugs as desirable No breach—presentation of material in misleading manner
3034	6PR Radio 6PR Perth Pty Ltd WA	<i>Drive</i>	Broadcasting service used in commission of an offence	No breach—use broadcasting service in commission of offence*
3038	5AD 5AD Broadcasting Company Pty Ltd SA	<i>Adelaide's Fun Breakfast</i>	Offensive content broadcast when children and families may be listening	No breach—decency
3055	2DAY 2Day FM Sydney Pty Ltd NSW	<i>Dan &amp; Maz Show</i>	Ridicule of people with a medical condition. Complaints-handling	No breach—hatred, contempt or ridicule of ground of disability No breach—complaints-handling
3064	3AW Radio 3AW Melbourne Pty Ltd Vic.	<i>3AW Football</i>	Broadcast tobacco advertisement	No breach—tobacco advertisement*
3068	4RGK Rockhampton Broadcasting Co. Pty Ltd Qld	<i>Banksy &amp; Brad— the Sea FM Morning Crew</i>	Inappropriate conversation with child caller	No breach—decency
3071	2SM Radio 2SM Pty Ltd NSW	<i>John Laws</i>	Unacceptable treatment of caller. Complaints-handling	No breach—decency No finding—complaints-handling
3089	2AAY Radio Albury Wodonga Pty Ltd NSW	<i>Kyle and Jackie O Hour of Power</i>	Presenter's explanation of a call from a listener that had been censored by the licensee was inappropriate for broadcast	No breach—decency No breach—explicit sexual theme
3092	3AW Radio 3AW Melbourne Pty Ltd Vic.	<i>Breakfast with Ross &amp; John</i>	Inaccurate comments and disclosure of personal information	No breach—accuracy No breach—incite, encourage or present violence or brutality No breach—privacy

3099	6PER DMG Radio (Perth) Pty Ltd WA	<i>Smallzy's Surgery</i>	Discussion of a poll revealing the top five celebrities that people would most like to see in a celebrity sex tape was offensive	No breach—decency No breach—explicit sexual theme
3102	6PR Radio 6PR Perth Pty Ltd WA	<i>Drive</i>	Discussion of a parking fine issued by a local council	No breach—decency No breach—incite, encourage or present violence or brutality No breach—presentation of material in misleading manner No breach—use broadcasting service in commission of an offence*
3109	6PR Radio 6PR Perth Pty Ltd WA	<i>Mornings and Drive</i>	Suicide presented as desirable	No breach—depict suicide favourably No breach—presentation of material in misleading manner
3121	4GR Gold Radio Service Pty Ltd Qld	<i>The Big Breakfast</i>	Discussion in which the presenters used euphemisms for male genitalia was inappropriate for broadcast	No breach—decency
3154	4EL Cairns Broadcasters Pty Ltd Qld	<i>Michael J Baily Breakfast Show</i>	Depiction of suicide	No breach—depict suicide favourably
3160	6PR Radio 6PR Perth Pty Ltd WA	<i>Drive with Paul Murray</i>	Discussion on incident between a cyclist and police officer	No breach—incite, encourage or present violence or brutality
3164	2SM Radio 2SM Pty Ltd NSW	<i>John Laws— Fortress of Irreverent Logic</i>	Accuracy and privacy in segment on computer service	No breach—accuracy No breach—misrepresent viewpoints No breach—privacy
3171	2GB Harbour Radio Pty Ltd NSW	<i>Alan Jones Breakfast Show</i>	Factual accuracy concerning discussion of spying in Indonesia	No breach—accuracy No breach—factual material is clearly distinguishable from commentary and analysis
3175	2GB Harbour Radio Pty Ltd NSW	<i>Nights with Steve Price</i>	Offensive comment made during discussion on asylum-seekers	No breach—decency No breach—hatred, contempt or ridicule of ground of nationality
3186	2UUS ARN Communications Pty Ltd NSW	<i>Jonesy and Amanda Afternoon Delight (program promotion)</i>	Decency in program promotion	No breach—decency
3211	3AW Radio 3AW Melbourne Pty Ltd Vic.	<i>Drive</i>	Favourable depiction of suicide in discussion about voluntary euthanasia	No breach—depict suicide favourably

\*Investigation against a licence condition, standard or provision of the BSA.

ABC radio

No breach findings: 20

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3001	3LO ABC Radio Vic.	<i>AM</i>	Inaccuracies in report about impact of family violence on women's health	No breach—accuracy No breach—materially mislead
3002	3LO ABC Radio Vic.	<i>Morning with Jon Faine</i>	Biased interview and false assurances about nature of interview	No breach—impartiality No breach—dealing with participants No breach—undertakings
3032	2RN ABC Radio NSW	<i>AM</i>	Errors and bias in climate change report	No breach—accuracy
3040	3RN ABC Radio Vic.	<i>Drive</i>	Derogatory comment about a person's medical condition	No breach—impartiality No breach—harm and offence No breach—stereotypes or discriminatory content
3078	8DDD ABC Radio NT	<i>NT Country Hour</i>	Inaccuracy in report about rates of Hendra virus in NT fruit bats	No breach—accuracy
3111	3LO ABC Radio Vic.	<i>Mornings with Jon Faine</i>	Bias in interview with politician	No breach—accuracy No breach—impartiality
3114	4QS ABC Radio Qld	<i>Regional Afternoons</i>	Caller's description of medical consultation and naming their doctor was a breach of privacy	No breach—privacy
3115	4RN ABC Radio Qld	<i>A Rational Fear</i>	Offensive language	No breach—harm and offence
3116	2RN ABC Radio ACT	<i>Sunday Extra</i>	Segment parodying the new federal government ministry was offensive towards women	No breach—harm and offence No breach—stereotypes or discriminatory content
3123	2RN ABC Radio NSW	<i>PM with Mark Colvin</i>	Accuracy concerning measles outbreak	No breach—accuracy No breach—materially mislead
3142	4QY ABC Radio Qld	<i>Drive with Richard Dinnen</i>	Inaccuracies and allegations in a discussion of amalgamation of councils	No breach—factual accuracy No breach—fair opportunity to respond
3156	6RN ABC Radio WA	<i>Saturday Extra</i>	Impartiality in discussion of US Affordable Health Care Act	No breach—impartiality No breach—diversity of perspectives
3157	2RN ABC Radio NSW	<i>Sound. Music. World</i>	Offensive content in feature on poet and performance artist	No breach—harm and offence No breach—warnings



3162	3RN ABC Radio Vic.	<i>PM Queensland Country Hour</i>	Accuracy and impartiality in report on kangaroo numbers	No breach—accuracy No breach—materially mislead No breach—impartiality No breach—diversity of perspectives
3167	2CN ABC Radio ACT	<i>Mornings with Genevieve Jacobs</i>	Offensive content in discussion about the etymology and use of certain words that are increasingly being used in a colloquial manner	No breach—harm and offence No breach—warnings
3192	3RN ABC Radio Vic.	<i>Late Night Live</i>	Bias against current government in discussion about Cuban politics	No breach—impartiality
3194	6WF ABC Radio WA	<i>Drive</i>	Inaccuracies and bias in a discussion about former politician	No breach—accuracy No breach—impartiality
3203	2RN ABC Radio NSW	<i>RN Breakfast</i>	Bias in report on parliamentary debate about Operation Sovereign Borders	No breach—impartiality No breach—diversity of perspective
3204	6WF ABC Radio WA	<i>Conversations with Richard Fidler</i>	Accuracy and harm and offence in comments about a religious community	No breach—accuracy No breach—stereotypes or discriminatory content
3216	5JJJ ABC Radio SA	Song lyrics	Offensive song lyrics and themes	No breach—harm and offence No breach—warnings

#### SBS radio

No breach findings: 1

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3112	3EA SBS Radio Vic.	<i>Mandarin Language Program</i>	Lack of balance in program featuring the stories of two Chinese sex workers	No breach—diversity of views and perspectives

#### Community television

Breach findings: 1

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3185	C31 Melbourne Community Television Consortium Ltd	Licence condition matter	Broadcasting advertisements	Breach—broadcasting advertisements*

No breach findings: 2				
3057	TVS Television Sydney (TVS) Limited	Licence condition matters	Not representing the community interest or encouraging participation. Operating the service as part of a profit-making enterprise	No breach—representing the community interest* No breach—encouraging participation in selection of programs* No breach—encouraging participation in operations* No breach—operating as part of a profit-making enterprise*
3129	C31 Melbourne Community Television Consortium Ltd	Licence condition matter	Not encouraging participation	No breach—encouraging participation in operations*

\*Investigation against a licence condition, standard or provision of the BSA.

## Community radio

### Breach findings: 8

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3031	4SFM Sunshine FM Radio Association Inc.	Licence condition matters	Not representing the community interest or encouraging participation	Breach—representing the community interest* Breach—encouraging participation in selection of programs* No breach—encouraging participation in operations*
3079	2VTR Hawkesbury Radio Communications Co-operative Society Ltd	Licence condition matters	Encouraging participation in the operations of the licensee and in the selection and provision of programs	Breach—encouraging participation in operations* No breach—encouraging participation in selection of programs*
3080	2RRR Ryde Regional Radio Cooperative Ltd	Licence condition matters	Broadcasting advertisements and excessive sponsorship announcements	Breach—advertising* No breach—sponsorship time limit*
3088	TCBL Tribe FM Inc.	Licence condition matter	Broadcasting advertisements	Breach—advertising*
3127	2REM Community Radio Albury Wodonga Cooperative Society Ltd	Code matters	Offensive language, complaints- handling	Breach—community standards Breach—complaints-handling
3130	3REG Radio East Gippsland Inc.	Code matters	Failure to consider community standards in programming decisions; demeaning towards women; complaints- handling	Breach—complaints-handling No breach—community standards No breach—demean on grounds of gender
3163	6SEN Capital Community Radio Inc.	Licence condition and codes matters	Not representing the community interest; not encouraging participation; policies not freely available; complaints- handling	Breach—encouraging participation in operations* Breach—availability of policy documents Breach—complaints-handling No breach—representing the community interest* No breach—encouraging participation in selection of programs*

3166	TCBL Bundaberg Burnett Community Broadcasting Association Inc.	Licence condition matter	Not encouraging community participation in the operations of the service	Breach—encouraging participation in operations*
<b>No breach findings: 7</b>				
3030	2MWM Manly-Warringah Media Cooperative Ltd	Licence condition matters	Not representing the community interest, not encouraging participation	No breach—representing the community interest* No breach—encouraging participation in operations* No breach—encouraging participation in selection of programs*
3058	2000 Multicultural Community Radio Association Ltd	Licence condition and code matters	Vilification of homosexuals; complaints-handling. Exceeding sponsorship time limit	No breach—vilification on the basis of sexuality No breach—complaints-handling No breach—sponsorship time limit*
3070	4AAA Brisbane Indigenous Media Association Inc.	Code matter	Racial vilification	No breach—vilification on the basis of race
3081	3CR Community Radio Melbourne Pty Ltd	Licence condition matter	Broadcasting advertisements	No breach—advertising*
3113	4SFM Sunshine FM Radio Association Inc.	Licence condition matters	Broadcasting advertisements, exceeding sponsorship time limit	No breach—advertising* No breach—sponsorship time limit*
3117	6RTR Arts Radio Ltd	Code matters	Failure to consider community standards in programming decisions; complaints-handling	No breach—community standards No breach—complaints-handling
3159	2WKT Highland Media Co-operative Ltd	Licence condition matter	Use of service in commission of an offence	No breach—use broadcasting service in commission of offence*

\*Investigation against a licence condition, standard or provision of the BSA.

### Open narrowcast radio

#### No breach findings: 2

Investigation number	Station	Program or issue	Substance of complaint	Outcome
3140	Vintage FM W&A Willmington Pty Ltd NSW	Category of service	Not providing a narrowcasting service	No breach—category of service*
3144	Radio 2ME Asia Pacific Property Development Pty Ltd NSW	Advertisement for <i>Laytani Arguileh Lounge</i>	Broadcast of a tobacco advertisement	No breach—tobacco advertisement*

\*Investigation against a licence condition, standard or provision of the BSA.

## Appendix 7:

# Freedom of information— Information Publication Scheme

Agencies subject to the *Freedom of Information Act 1982* (FOI Act) are required to publish information to the public as part of the Information Publication Scheme (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a statement in an annual report. Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. The ACMA is an agency subject to the FOI Act.

In accordance with Part II of the FOI Act, the ACMA has developed an agency plan that outlines how it proposes to comply with Part II of the FOI Act. The agency plan has been published on the ACMA website (as required in paragraph 8(2)(a) of the FOI Act) at [acma.gov.au/theACMA/About/Corporate/Accountability/acma-freedom-of-information-act-publication-plan](http://acma.gov.au/theACMA/About/Corporate/Accountability/acma-freedom-of-information-act-publication-plan).

The agency plan provides a description of, and links to, the categories of information that the ACMA is required to publish, as well as information on other material that the ACMA voluntarily publishes. Further information can be obtained using the contact details provided in the agency plan.

# Appendix 8:

## Legislation

The ACMA performed its principal roles, responsibilities and obligations under the following legislation administered by the Department of Communications and the Attorney-General's Department:<sup>1</sup>

**Table 56: Legislation relevant to the ACMA**

Acts	Act number	Date of assent	Date of commencement
<i>Australian Broadcasting Corporation Act 1983</i>	6 of 1983	1 June 1983	Part I (ss. 1–4), ss. 7, 9–24, 34, 69 and 83: Royal Assent Remainder: 1 July 1983 (see Gazette 1983, No. S124)
<i>Australian Communications and Media Authority Act 2005</i>	44 of 2005	1 April 2005	Ss. 3–68: 1 July 2005 Remainder: Royal Assent
<i>Broadcasting Services Act 1992</i>	110 of 1992	14 July 1992	Ss. 4, 5, 7–92 and 117–218: 5 October 1992 (see Gazette 1992, No. GN38) Remainder: Royal Assent
<i>Competition and Consumer Act 2010</i> , Parts IB and XIC	51 of 1974	24 August 1974	Ss. 1 and 2: Royal Assent S. 55: 27 September 1975 (see Gazette 1975, No. S178) Remainder: 1 October 1974 (see Gazette 1974, No. 75B)
<i>Datacasting Charge (Imposition) Act 1998</i>	98 of 1998	27 July 1998	27 July 2008
<i>Datacasting Transmitter Licence Fees Act 2006</i>	154 of 2006	8 December 2006	1 January 2007
<i>Do Not Call Register Act 2006</i>	88 of 2006	30 June 2006	Parts 2, 4–5, ss. 39–40 and 42–45, Schedules 1–3: 31 May 2007 (see F2007L01114) Remainder: Royal Assent
<i>Interactive Gambling Act 2001</i>	84 of 2001	11 July 2001	Ss. 15, 15A, 61AA–61FE: 8 August 2001 Ss. 16–31, 42, 43, 48, 49, 54–59: 12 January 2002 Remainder: Royal Assent
<i>National Broadband Network Companies Act 2011</i>	22 of 2011	12 April 2011	S. 98A: 22 March 2011 Ss. 3–98, 99–101, Schedules 1 and 2: 13 April 2011 Remainder: Royal Assent
<i>NRS Levy Imposition Act 1998</i>	3 of 1998	26 March 1998	26 March 1998
<i>Radiocommunications Act 1992</i>	174 of 1992	11 December 1992	1 July 1993
<i>Radiocommunications (Receiver Licence Tax) Act 1983</i>	132 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, No. S322)

<sup>1</sup> The administration of Acts is determined by the Administrative Arrangements Order; see [www.comlaw.gov.au](http://www.comlaw.gov.au), C2014Q00003.

<i>Radiocommunications (Spectrum Licence Tax) Act 1997</i>	144 of 1997	9 October 1997	9 October 1997
<i>Radiocommunications Taxes Collection Act 1983</i>	133 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, No. S322)
<i>Radiocommunications (Transmitter Licence Tax) Act 1983</i>	137 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, S322)
<i>Radio Licence Fees Act 1964</i>	119 of 1964	24 November 1964	24 November 1964
<i>Spam Act 2003</i>	129 of 2003	12 December 2003	Ss. 1–14, 42, 47 and Schedule 2: 12 December 2003; Parts 2–6, s. 41, 43–46, Schedules 1 and 3: 10 April 2004 Remainder: Royal Assent
<i>Special Broadcasting Service Act 1991</i>	180 of 1991	25 November 1991	S. 54: 24 Mar 1994 (see Gazette 1994, No. GN10) Remainder: 23 Dec 1991
<i>Telecommunications Act 1997</i>	47 of 1997	22 April 1997	Ss. 41–51, 56–85, 98–495, 507–576, 579–588, 590–593 and Schedules 1–4: 1 July 1997 Ss. 52–55: 5 June 1997 Remainder: Royal Assent
<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	49 of 1997	22 April 1997	22 April 1997
<i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>	50 of 1999	5 July 1999	Part 3: 1 July 1999 Remainder: 2 August 1999
<i>Telecommunications (Industry Levy) Act 2012</i>	45 of 2012	16 April 2012	Ss. 3–8: 1 July 2012 Remainder: Royal Assent
<i>Telecommunications (Interception and Access) Act 1979</i>	114 of 1979	25 October 1979	1 June 1980 (see Gazette 1980, No. G21, p. 2)
<i>Telecommunications (Numbering Charges) Act 1997</i>	51 of 1997	22 April 1997	Parts 1 and 4: Royal Assent Parts 2 and 3: 1 July 1997
<i>Telecommunications (Universal Service Levy) Act 1997</i>	53 of 1997	24 April 1997	1 July 1997
<i>Telecommunications Universal Service Management Agency Act 2012</i>	43 of 2012	16 April 2012	Ss. 3–125: 1 July 2012 Remainder: Royal Assent
<i>Television Licence Fees Act 1964</i>	118 of 1964	24 November 1964	24 November 1964
<i>Telstra Corporation Act 1991</i>	79 of 1991	26 June 1991	Part 1 (ss. 1–7): Royal Assent Remainder: 1 February 1992 (see Gazette 1992, No. S32)
<i>Telstra (Transition to Full Private Ownership) Act 2005</i>	118 of 2005	23 September 2005	Schedule 1 items 45–51 and 53–65: 24 November 2006 (F2006L03997); Schedule 1 Item 52: The third anniversary of the designated day declared under s. 3. Schedule 1 Part 3: The 85% sale day declared under section 4. Remainder: Royal Assent

# Appendix 9:

## Directions and legislative instruments

Section 57 of the *Australian Communications and Media Authority Act 2005* (the ACMA Act) requires copies of certain directions and instruments to be included in the ACMA's annual report, including directions given to the ACMA under section 14 of the ACMA Act, and directions given by the ACMA to a carrier or carriage service provider under section 581 of the *Telecommunications Act 1997* during the financial year.

Between 1 July 2013 and 30 June 2014, the ACMA was given the following two directions under section 14 of the ACMA Act:

**Table 57: Directions given to the ACMA, 2013–14**

Direction	Date of registration	Link to the direction
Australian Communications and Media Authority (Annual Carrier Licence Charge) Direction 2013	2 July 2013	<a href="http://comlaw.gov.au/Details/F2013L01300">comlaw.gov.au/Details/F2013L01300</a>
Australian Communications and Media Authority (Spectrum Allocation—Post-Auction Review) Direction No. 1 of 2013	29 July 2013	<a href="http://comlaw.gov.au/Details/F2013L01452">comlaw.gov.au/Details/F2013L01452</a>

Additionally, section 67 of the ACMA Act requires the ACMA to maintain a register of all directions given to it under that Act or any other Act. The ACMA maintains this register by electronic means on its website ([acma.gov.au/theACMA/ministerial-directions](http://acma.gov.au/theACMA/ministerial-directions)).

The ACMA did not give any directions during the financial year under section 581 of the *Telecommunications Act*.

**Table 58: ACMA legislative instruments registered in 2013–14**

Title	Act	Section	Date of instrument: Date of registration: FRLI number:
Telecommunications (International Mobile Roaming) Industry Standard 2013	<i>Telecommunications Act 1997</i>	Subsection 125AA(1)	27/06/2013 02/07/2013 F2013L01301
Radiocommunications (Spectrum Access Charges—2.5 GHz Mid-band Gap) Determination 2013	<i>Radiocommunications Act 1992</i>	Subsection 294(1)	06/08/2013 19/08/2013 F2013L01591
Telecommunications (Annual Charge) Amendment Determination 2013 (No. 1)	<i>Telecommunications (Numbering Charges) Act 1997</i>	Subsection 22(2)	26/08/2013 04/09/2013 F2013L01665
Telecommunications Numbering Plan Variation 2013 (No. 1)	<i>Telecommunications Act 1997</i>	Section 455	26/08/2013 04/09/2013 F2013L01666
Radiocommunications (Short Range Devices) Amendment Standard 2013 (No. 2)	<i>Radiocommunications Act 1992</i>	Subsection 162(1)	10/09/2013 16/09/2013 F2013L01694
Radiocommunications Devices (Compliance Labelling) Amendment Notice 2013 (No. 2)	<i>Radiocommunications Act 1992</i>	Section 182	10/09/2013 16/09/2013 F2013L01696
Telecommunications Service Provider (Premium Services) Revocation Determination 2013	<i>Telecommunications Act 1997</i>	Section 99	02/10/2013 09/10/2013 F2013L01783
Telecommunications Technical Standard (Requirements for Connection to an Air Interface of a Telecommunications Network—Part 1: General—AS/CA S042.1:2010) Amendment 2013 (No. 1)	<i>Telecommunications Act 1997</i>	Subsection 376(1)	23/10/2013 29/10/2013 F2013L01843
Telecommunications (Service Provider—Identity Checks for Prepaid Mobile Carriage Services) Determination 2013	<i>Telecommunications Act 1997</i>	Subsection 99(1)	23/10/2013 29/10/2013 F2013L01844
Telecommunications (Types of Cabling Work) Declaration 2013	<i>Telecommunications Act 1997</i>	Subsection 419(1)	23/10/2013 29/10/2013 F2013L01845
Television Licence Area Plan (Sydney) Variation 2013	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	01/11/2013 07/11/2013 F2013L01903
Television Licence Area Plan (Melbourne) Variation 2013	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	01/11/2013 07/11/2013 F2013L01904
Television Licence Area Plan (Brisbane) Variation 2013	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	01/11/2013 07/11/2013 F2013L01905
Telecommunications Technical Standard (Information Technology Equipment—Safety, Part 1: General Requirements—AS/NZS 60950.1:2011) Amendment 2013 (No. 1)	<i>Telecommunications Act 1997</i>	Subsection 376(1)	01/11/2013 13/11/2013 F2013L01927
Radiocommunications (Spectrum Access Charges—2.3 GHz Band) Determination 2013	<i>Radiocommunications Act 1992</i>	Subsection 294(1)	21/11/2013 27/11/2013 F2013L01994
Radiocommunications (Spectrum Access Charges—1800 MHz Band) Determination 2013 (No. 2).	<i>Radiocommunications Act 1992</i>	Subsection 294(1)	21/11/2013 27/11/2013 F2013L01995
Broadcasting Services (Primary Commercial Television Broadcasting Service) Amendment Declaration 2013 (No. 3)	<i>Broadcasting Services Act 1992</i>	Clause 41G of Schedule 4	25/11/2013 28/11/2013 F2013L01999



Radiocommunications (Spectrum Access Charges—1800 MHz Band) Determination 2013 (No. 1)	<i>Radiocommunications Act 1992</i>	Subsection 294(1)	21/11/2013 28/11/2013 F2013L02006
Radiocommunications (26.5–31.3 GHz Band) Reform Instrument 2013	<i>Radiocommunications Act 1992 and Acts Interpretation Act 1901</i>	Sections 39, 39A, 145 and 262 and paragraph 107(1)(f) of <i>Radiocommunications Act 1992</i> ; and subsection 33(3) of <i>Acts Interpretation Act 1901</i>	10/12/2013 13/12/2013 F2013L02100
Radiocommunications Advisory Guidelines (Managing Interference from Spectrum Licensed Transmitters—2.3 GHz Band) 2013	<i>Radiocommunications Act 1992</i>	Section 262	12/12/2013 18/12/2013 F2013L02143
Radiocommunications Advisory Guidelines (Managing Interference to Spectrum Licensed Receivers—2.3 GHz Band) 2013	<i>Radiocommunications Act 1992</i>	Section 262	12/12/2013 18/12/2013 F2013L02150
Radiocommunications (Unacceptable Levels of Interference—2.3 GHz Band) Determination 2013	<i>Radiocommunications Act 1992</i>	Subsection 145(4)	12/12/2013 19/12/2013 F2013L02155
Radiocommunications (Trading Rules for Spectrum Licences) Amendment Determination 2013	<i>Radiocommunications Act 1992</i>	Section 88	10/12/2013 06/01/2014 F2014L00034
Radiocommunications (Receiver Licence Tax) Amendment Determination 2013	<i>Radiocommunications (Receiver Licence Tax) Act 1983</i>	Subsection 7(1)	20/12/2013 06/01/2014 F2014L00036
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2013	<i>Radiocommunications (Transmitter Licence Tax) Act 1983</i>	Subsection 7(1)	20/12/2013 06/01/2014 F2014L00038
Radiocommunications Licence Conditions (PTS Licence) Determination 2013	<i>Radiocommunications Act 1992</i>	Paragraph 107(1)(f)	20/12/2013 08/01/2014 F2014L00045
Variation to Licence Area Plan—Sydney Radio—No. 1 of 2013	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	20/12/2013 14/01/2014 F2014L00057
Variation to Licence Area Plan—Lismore Radio—No. 1 of 2014	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	16/01/2014 24/01/2014 F2014L00083
Variation to Licence Area Plan—Darwin Radio—No. 1 of 2014	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	20/01/2014 24/01/2014 F2014L00087
Variation to Licence Area Plan—Gosford Radio—No. 1 of 2014	<i>Broadcasting Services Act 1992</i>	Subsection 26(2)	16/01/2014 26/01/2014 F2014L00088
Radiocommunications (Spectrum Access Charges—1800 MHz Band) Determination 2014	<i>Radiocommunications Act 1992</i>	Subsection 294(1)	11/02/2014 25/02/2014 F2014L00182
Australian Communications and Media Authority Omnibus Revocation Instrument 2014	<i>Radiocommunications Act 1992, Telecommunications Act 1997, Telecommunications (Consumer Protection and Service Standards) Act 1999 and Telecommunications (Numbering Charges) Act 1997</i>	Various	14/03/2014 19/03/2014 F2014L00297
Telecommunications (Carrier Licence Charges) Revocation Determination 2014	<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	Subsection 14(1) and paragraphs 15(1)(a), 15(1)(c) and 15(1)(ca)	14/03/2014 19/03/2014 F2014L00301

Radiocommunications (Allocation of Transmitter Licences—High Power Open Narrowcasting Licences) Determination 2014	<i>Radiocommunications Act 1992</i>	Subsection 106(1)	11/04/2014 17/04/2014 F2014L00426
Telecommunications (Non-refundable Code Development Costs) Determination Variation 2014 (No. 1)	<i>Telecommunications Act 1997</i>	Subsection 136E(1)	14/05/2014 20/05/2014 F2014L00569
Telecommunications (Approved Auditors and Auditing Requirements) Determination Variation 2014 (No. 1)	<i>Telecommunications Act 1997</i>	Subsection 136C(5)	14/05/2014 20/05/2014 F2013L00570
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2014 (No. 1)	<i>Radiocommunications (Transmitter Licence Tax Act) 1983</i>	Subsection 7(1)	13/06/2014 20/06/2014 F2014L00769
Radiocommunications (Field Trial by Corrective Services NSW of PMTS Jamming Device at Lithgow Correctional Centre) Exemption Amendment Determination 2014 (No. 1)	<i>Radiocommunications Act 1992</i>	Subsection 27(2)	13/06/2014 20/06/2014 F2014L00771

# Appendix 10:

## Disclosures of information

Table 59: Disclosures made under Part 13 of the *Telecommunications Act 1997*—by carriers and carriage service providers

Reason for disclosure	(Sub)section	Number of disclosures 2013–14
<i>Under the Telecommunications Act 1997</i>		
Authorised by or under law	280	11,526
Made as a witness under summons	281	553
To assist the ACMA	284(1)	896
To assist the ACCC	284(2)	12
To assist the TIO	284(3)	10,785
To assist TUSMA	284(4)	0
Calls to emergency service number	286	8,422
To avert a threat to a person's life or health	287	12,453
Communications for maritime purposes	288	0
With the knowledge or consent of the person concerned	289	120,357
In circumstances prescribed in the Telecommunications Regulations 2001	292	2
Connected with an exempt disclosure	293	273
<i>Under the Telecommunications (Interception and Access Act) 1979</i>		
Voluntary disclosure	177	73
Authorisations for access to existing information or documents—enforcement of the criminal law	178	563,012
Authorisations for access to existing information or documents—locating missing persons	178A	3,170
Authorisations for access to existing information or documents—enforcement of a law imposing pecuniary penalty or protection of the public revenue	179	9,162
Authorisations for access to prospective information or documents	180	7,346
Enforcement of the criminal law of a foreign country (existing information)	180A	17
Enforcement of the criminal law of a foreign country (prospective information)	180B	20
<b>Total</b>		<b>748,079</b>

Source: Carriers.

Table 60: Disclosures made under Part 13 of the *Telecommunications Act 1997*—by emergency management persons (EMP) for telephone-based emergency warning systems

Reason for disclosure	(Sub)section of Act	Number of disclosures
Likely emergency	295V(1)	0
Actual emergency	295V(2)	23,905

# Appendix 11:

## Judicial and administrative decisions

Judicial decisions, decisions of administrative tribunals and decisions by the Australian Information Commissioner made in the 2013–14 financial year that have had, or may have, a significant impact on the operations of the ACMA are summarised below.

***Channel Seven Adelaide Pty Ltd v Australian Communications and Media Authority [2013] FCA 812; Channel Seven Adelaide Pty Ltd v Australian Communications and Media Authority [2014] FCAFC 32***

The ACMA received a complaint from a member of the public that the licensee of Channel Seven Adelaide Pty Ltd had broadcast a tobacco advertisement during its news program on 18 July 2010. The complaint related to a news segment entitled ‘Cheap Cigarette Imports’, which dealt with the importation and sale by Coles supermarkets of budget brands of cigarettes. Clause 7(1)(a) of Schedule 2 to the *Broadcasting Services Act 1992* states that it is a condition of a commercial television broadcasting licence that the licensee will not broadcast a tobacco advertisement, within the meaning of the *Tobacco Advertising Prohibition Act 1992* (TAP Act), in contravention of that Act. On 25 March 2012, a delegate of the ACMA decided that the broadcast of the relevant news segment breached that licence condition.

**Outcome:** The licensee commenced proceedings for judicial review of that decision, alleging multiple legal errors, but was not successful at first instance. The licensee appealed from that judgement, and a Full Court of the Federal Court upheld one ground of appeal, finding that the ACMA had applied an incorrect test of intention for a contravention of section 13 of the TAP Act (which makes it an offence to broadcast a tobacco advertisement in Australia). The majority judges in the Full Court held that the test of intention for a contravention of section 13 of the TAP

Act requires that the person broadcasting must be proved not only to intend to broadcast material that falls within the statutory definition of tobacco advertisement, but also to intend to promote, or give publicity to, smoking or the purchase or use of tobacco products.

**Significance:** The Full Court judgements have clarified the test of intention for a contravention of section 13 of the TAP Act.

***Australian Communications and Media Authority v TPG Internet Pty Ltd [2014] FCA 382***

On 7 November 2012, the ACMA commenced proceedings in the Federal Court against TPG Internet Pty Ltd (TPG) seeking declarations and the imposition of pecuniary penalties for alleged contraventions of sections 13 and 19 of the Telecommunications (Emergency Call Service) Determination 2009 (the ECS Determination) and subsection 148(1) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (the TCPSS Act).

The ACMA alleged that, during the period of 15 March 2011 to 21 September 2011 (the relevant period), TPG failed to ensure that its controlled networks and/or controlled facilities gave the end users of 5,979 standard telephone services supplied by TPG access to the Triple Zero emergency call service, in contravention of section 19 of the ECS Determination and subsection 148(1) of the TCPSS Act. The ACMA also alleged that, during the relevant period, on 193 occasions TPG failed to connect calls to the Triple Zero emergency call service made by end users of 100 of those standard telephone services, in contravention of section 13 of the ECS Determination and subsection 148(1) of the TCPSS Act.

**Outcome:** On 16 April 2014, His Honour Justice Bromberg made declarations that:

- > on 193 occasions during the relevant period, TPG failed to give end users access to the Triple Zero emergency call service in contravention of section 13 of the ECS Determination and subsection 148(1) of the TCPSS Act
- > during the relevant period, TPG failed to ensure that its controlled networks and/or controlled facilities gave the end users of 5,979 standard telephone services access to emergency call services in contravention of section 19 of the ECS Determination and subsection 148(1) of the TCPSS Act.

His Honour ordered that TPG pay a penalty of \$200,000 for the contraventions of section 13 of the ECS Determination and subsection 148(1) of the TCPSS Act, and \$200,000 for the contraventions of section 19 of the ECS Determination and subsection 148(1) of the TCPSS Act. On 28 April 2014, His Honour ordered, by consent, that TPG pay the ACMA's costs as agreed or assessed.

**Significance:** This is the first time that the ACMA has instituted proceedings for contraventions of the ECS Determination. The decision is a reminder for all carriage service providers that the obligation to give end users of standard telephone services access to the Triple Zero emergency call service is of critical importance.

***Today FM (Sydney) Pty Ltd v Australian Communications and Media Authority [2013] FCA 1157 and Today FM (Sydney) Pty Ltd v Australian Communications and Media Authority [2014] FCAFC 22***

In December 2012, the ACMA commenced an investigation into the broadcast by Today FM (Sydney) Pty Ltd (Today FM) of a 'prank' telephone call between presenters of Today FM's *Summer 30* program and nurses at King Edward VII Hospital in London. Among the matters at issue was whether, in broadcasting that telephone call, Today FM breached a condition of its licence which provides that a licensee must not use its broadcasting service in the commission of an offence (paragraph 8(1)(g) of Schedule 2 to the *Broadcasting Services Act 1992* (the BSA)).

In response to the ACMA's preliminary findings, Today FM applied to the Federal Court for orders restraining the ACMA from continuing the investigation and making a finding that Today FM breached the licence condition at

paragraph 8(1)(g) of Schedule 2 to the BSA. Today FM contended that the ACMA is not authorised to make such a finding until a competent court adjudicates that Today FM has used its broadcasting service in the commission of an offence and that to make such a finding (prior to a competent court finding that Today FM committed an offence) would amount to an exercise of power inconsistent with the separation of executive and judicial power mandated by chapters II and III of the Commonwealth Constitution. Further, Today FM contended that the findings proposed by the ACMA would interfere with the administration of justice in a potential criminal proceeding in relation to the incident.

**Outcome:** On 7 November 2013, His Honour Justice Edmonds handed down his decision dismissing Today FM's application and ordering that Today FM pay the ACMA's costs. His Honour considered that:

- > Today FM's interpretation of the licence condition at paragraph 8(1)(g) of Schedule 2 to the BSA was inconsistent with the regulatory framework established by the BSA
- > an investigation into Today FM's compliance with the licence condition at paragraph 8(1)(g) of Schedule 2 to the BSA did not amount to an exercise of judicial power and was therefore consistent with the separation of executive and judicial power mandated by the Constitution
- > in the absence of criminal proceedings having been commenced against Today FM, it could not be said that, in proceeding to finalise an investigation into Today FM's compliance with the licence condition at paragraph 8(1)(g) of Schedule 2 to the BSA, the ACMA was interfering with the administration of justice.

Today FM appealed to the Full Federal Court from the whole of His Honour's judgment. On 14 March 2014, the Full Court found in favour of Today FM, allowing the appeal, setting aside the orders made by the Federal Court on 7 November 2013, and ordering the ACMA to pay Today FM's costs. The Full Court decided the matter on the construction of paragraph 8(1)(g) ruling that:

- > paragraph 8(1)(g) of Schedule 2 to the BSA does not expressly provide that the ACMA is to form an opinion as to whether an offence has been committed and that, on a proper construction of the provision, its operation depended upon prior findings being made by a criminal court

- > only after a criminal court makes a finding that an offence has been committed is it open to the ACMA to investigate whether the licensee used its broadcasting service in the commission of that offence
- > if the ACMA were able to make a finding, for the purposes of paragraph 8(1)(g), that an offence had been committed, it would derogate from the legal principle that the determination of whether or not a person has committed an offence is vested in courts exercising criminal jurisdiction and not persons or bodies exercising executive power.

The Full Court considered it unnecessary to determine the constitutional issue but did, however, rule that the trial judge was correct in finding that the ACMA's action did not, in the circumstances, interfere with the administration of justice. On 11 April 2014, the ACMA filed an application for special leave to appeal from the decision of the Full Court to the High Court.

**Significance:** During the reporting period, the ACMA's application for leave to appeal had not yet been considered by the High Court.

# Appendix 12:

## Consultancies, advertising expenditure and competitive tendering

The ACMA engages consultants to provide specialised services when the capability or capacity to perform these in-house is not available, or where there is a requirement for independent advice.

The policy for selecting and engaging consultants is in accordance with the *Commonwealth Procurement Rules* and is based on the core principle of achieving value for money. The majority of consultants were engaged following an open approach to market and use of panel arrangements. The main categories for consultancies in 2013–14 were legal advice, research and audit.

During 2013–14, 31 new consultancy contracts were entered into, incurring expenditure of \$1,132,183. In addition, 17 ongoing consultancy contracts were active during 2013–14, incurring expenditure of \$666,671.

Information on expenditure on contracts and consultancies is also available on the AusTender website at [tenders.gov.au](http://tenders.gov.au).

Table 61: Expenditure on consultancy contracts, 2011–12 to 2013–14

Year	New consultancies	Continued consultancies
2011–12	\$1,831,169	\$70,262
2012–13	\$2,820,709	\$516,799
2013–14	\$1,132,183	\$666,671

Table 62: Expenditure on media advertising organisations, 2013–14

Organisation name	Purpose	Amount of payment
Google	General advertising	\$19,343
Adcorp Australia Ltd	Public notices, and general and recruitment advertising	\$45,444
Universal McCann	General advertising	\$37,791
<b>Total</b>		<b>\$102,578</b>

**Table 63: Expenditure on market research organisations, 2013–14**

Organisation name	Purpose	Amount of payment
Newspoll Market Research	ACMA stakeholders survey	\$10,120
Newspoll Market Research	Research into attitudes and behaviours towards local content in regional areas	\$32,648
Newspoll Market Research	Annual consumer survey 2013–14	\$124,410
Newspoll Market Research	Research services—Children’s Television Standards	\$49,446
Newspoll Market Research	RTC tracking consumer outcomes—quantitative and qualitative research	\$37,246
GfK Australia Pty Ltd	Qualitative research into SMEs and the digital economy	\$102,080
GfK Blue Moon Research and Planning Pty Ltd	Attitudinal research for <i>Contemporary community safeguards inquiry</i>	\$44,990
Roy Morgan Research	Consumer research survey for calls from mobiles to 13/1300 numbers	\$71,500
Woolcott Research Pty Ltd	Qualitative research to pre-test new Cybersmart kids educational film resource	\$21,912
GfK Blue Moon Research and Planning Pty Ltd	Digital citizenship principles testing research	\$26,638
Roy Morgan Research	Annual consumer survey	\$31,871
<b>Total</b>		<b>\$552,861</b>

**Advertising**

During the reporting period, the ACMA placed advertising for a range of purposes, including public notices and recruitment.

Expenditure by the ACMA on advertising in 2013–14 was \$0.152 million. The ACMA did not undertake any advertising campaigns during the year.

**Competitive tendering**

No contracts have been let that contract out delivery of government activities previously performed by a Commonwealth agency.

**Access by Auditor-General**

No contracts have been let that prevent access by the Auditor-General.

**Exemptions from reporting of Commonwealth contracts**

No exemptions have been sought or granted for the non-reporting of Commonwealth contracts on AusTender.



# Appendix 13:

## Outcome table

**Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice**

	Budget <sup>1</sup>	Actual	Variance
	(1)	(2)	(2) minus (1)
	\$'000	\$'000	\$'000
<b>Program 1.1: Communications regulation, planning and licensing</b>			
<b>Departmental items:</b>			
Departmental appropriations	43,259	43,422	163
Revenues from independent sources	423	1,338	915
<b>Subtotal for Program 1.1</b>	<b>43,682</b>	<b>44,759</b>	<b>1,077</b>
<b>Program 1.2: Consumer safeguards, education and information</b>			
<b>Departmental items</b>			
Departmental appropriations	48,782	48,965	183
Revenues from independent sources	477	1,508	1,031
<b>Special appropriations</b>			
Special Appropriation Act—Telecommunications consumer codes	300	0	(300)
<b>Subtotal for Program 1.2</b>	<b>49,559</b>	<b>50,474</b>	<b>915</b>
<b>Total for Outcome 1</b>			
Departmental	92,941	95,233	2,292
Average staffing level	512	488	

Notes

1 2013–14 Budget figures

The 2013–14 Budget is the full-year revised budget at 2014–15 Portfolio Budget Statement.

# Appendix 14:

## Agency resource statement

	Actual available appropriations for 2013–14	Payments made 2013–14	Balance remaining
	\$'000	\$'000	\$'000
	(a)	(b)	(a–b)
<b>Ordinary annual services</b>			
<b>Departmental appropriation</b>			
Prior year departmental appropriation	20,904	20,904	0
Departmental appropriation	92,387	81,169	11,218
Departmental appropriation (DCB)	13,120	12,757	363
Repayments to the Commonwealth (FMA Act s. 30A)	4,423	4,423	0
S. 31 relevant agency receipts	3,354	2,182	1,172
<b>Total</b>	<b>134,188</b>	<b>121,435</b>	<b>12,753</b>
<b>Administered items</b>			
Outcome	4,000	2,335	1,665
Appropriation lapsing		1,665	(1,665)
<b>Total</b>	<b>4,000</b>	<b>4,000</b>	<b>0</b>
<b>Total ordinary annual services</b>	<b>138,188</b>	<b>125,435</b>	<b>12,753</b>
<b>Departmental non-operating</b>			
Equity injections	5,841	1,630	4,211
<b>Total</b>	<b>5,841</b>	<b>1,630</b>	<b>4,211</b>
<b>Special appropriations</b>			
<b>Special appropriations limited by amount</b>			
<i>Telecommunication Act 1997</i> —s. 136C(4) reimbursement of costs of developing consumer-industry code	300	0	300
Appropriation lapsing		300	(300)

<b>Total special appropriations</b>	<b>300</b>	<b>300</b>	<b>0</b>
<b>Special accounts</b>			
Opening balance	19		0
Non-appropriations receipts to special accounts	0		0
Repayments to the Commonwealth (FMA Act s. 30A)	0		0
Payments made		19	0
<b>Total</b>	<b>19</b>	<b>19</b>	<b>0</b>
<b>Total resourcing and payments</b>	<b>144,348</b>	<b>127,384</b>	<b>16,964</b>

# Appendix 15:

## Performance against PBS KPIs and deliverables

This table sets out the key performance indicators and deliverables from ACMA's Portfolio Budget Statements 2013–14 and identifies the sections of the report that cover the agency's actual performance against these indicators and deliverables.

### Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice.

#### Program 1.1: Communications regulation, planning and licensing

##### Program 1.1 Key performance indicators

- > An effective regulatory environment that supports a dynamic communications sector and enables industry to meet the communications needs of the community.
- > Efficient planning, allocation and use of national resources such as radiofrequency spectrum, communications numbering and infrastructure.
- > Industry contributes to, and complies with, the regulatory framework without being subject to undue financial or administrative burden.
- > Levels of industry compliance with the regulatory framework as assessed by breaches and recurrent breaches of legislation, codes, standards and licence conditions.
- > The cost of the ACMA's regulatory activities is minimised to the extent possible.

##### Program 1.1 Deliverables

##### Performance in 2013–14

Government revenue targets met in the collection of annual numbering charges.	See pp. 62–4
Price-based allocations of spectrum completed within statutory timeframes.	See pp. 48, 50
Annual identification and publication of primary issues facing key radiocommunications services and methods the ACMA proposes to use to manage these issues.	See p. 48
Greater marketplace contestability in frequency assignments.	See pp. 53–4
Increased proportion of spectrum licensed through class and spectrum licensing.	See pp. 45–9, 52–4
Licensing and numbering transaction applications dealt with within applicable timeframes.	See pp. 50, 59
Online content, Do Not Call Register, spam, broadcasting and telecommunications consumer codes complaints dealt with within applicable timeframes.	See pp. 77, 82–5, 89, 92, 96–7
Applications for an opinion on control or temporary approval of a breach of the <i>Broadcasting Services Act 1992</i> dealt with within applicable timeframes.	See p. 38
Manage the realisation of the digital dividend as the transition from analog to digital television takes place.	See pp. 43–7

## Program 1.2: Consumer safeguards, education and information

### Program 1.2 Key performance indicators

- > The community has access to sufficient information to enable it to make informed decisions about communications products and services.
- > Effective community safeguards are implemented and maintained.
- > Research is undertaken, and stakeholders engaged, to maximise the extent to which information, standards and safeguards address the broad concerns of the community.

### Program 1.2 Deliverables

### Performance in 2013–14

Deliver information programs to raise awareness of rights and responsibilities, including safety issues.	See pp. 47, 58, 68, 74–5, 85, 87, 96, 98–9, 101, 119, 121–9, 141
Report on industry compliance with statutory consumer safeguards available within required timeframes.	See pp. 116–21
Develop cybersafety education programs which are research based and educationally sound.	See pp. 121–5
Undertake consultation at regular intervals to receive information and advice on matters affecting consumers of communications services.	See p. 120
In co-operation with industry, undertake reviews of communications standards, codes and determinations within appropriate timeframes.	See pp. 48, 52, 61, 66–9, 121
Raise awareness of Australia's spam and Do Not Call legislation among consumers, businesses and the telemarketing and e-marketing industries through education programs and publications.	See pp. 83–7, 103–4, 120–1, 127

## Appendix 16:

# Regulatory impact analysis compliance report

The Office of Best Practice Regulation (OBPR) manages and monitors regulatory impact analysis requirements and is required to report annually on regulatory impact compliance by Australian Government departments and agencies.

In 2013–14, the ACMA undertook 83 preliminary assessments for regulations to be made or tabled in the reporting period. Fifty-four of those preliminary assessments related to regulations subject to the sunseting regime established under the *Legislative Instruments Act 2003*.

One Regulation Impact Statement was prepared but did not proceed as the proposed regulation was not required.

# Appendix 17:

## Compliance index

### Requirements for annual reports

Department of the Prime Minister and Cabinet

Part of report	Description	Page
	Letter of transmittal	3
	Table of contents	5
	Index	300
	Glossary	295
	Contact officer(s)	2
	Internet home page address and internet address for report	back cover, 2
Review by Chairman	Review by Chairman and Chief Executive Officer	10
	Summary of significant issues and developments	14
	Overview of agency's performance and financial results	10, 14, 33, 61, 142, 225
	Outlook for following year	throughout
	Significant issues and developments—portfolio	n/a
Agency overview		
	Role and functions	27
	Organisational structure	28–32
	Outcome and program structure	35, 109, 216
	Where outcome and program structures differ from PB Statements/PAES or other portfolio statements accompanying any other additional appropriation bills (other portfolio statements), details of variation and reasons for change	n/a
	Portfolio structure	n/a
Report on performance	Review of performance during the year in relation to programs and contribution to outcomes	34–129
	Actual performance in relation to deliverables and KPIs set out in PB Statements/PAES or other portfolio statements	34–129 (summary tables 219–20)
	Where performance targets differ from the PBS/PAES, details of both former and new targets, and reasons for the change	34–129 (summary tables 219–20)
	Narrative discussion and analysis of performance	throughout
	Trend information	throughout
	Significant changes in nature of principal functions/services	n/a
	Performance of purchaser/provider arrangements	n/a
	Factors, events or trends influencing departmental performance	throughout
	Contribution of risk management in achieving objectives	132
	Performance against service charter customer service standards, complaints data, and the agency's response to complaints	137–8

	Discussion and analysis of the agency's financial performance	33, 61, 142, 216–8, 225–94
	Discussion of any significant changes in financial results from the prior year, from budget or anticipated to have a significant impact on future operations	142–3
	Agency resource statement and summary resource tables by outcomes	216–8
Management and accountability		
Corporate governance	Agency heads are required to certify that their agency complies with the 'Commonwealth Fraud Control Guidelines'	3, 132
	Statement of the main corporate governance practices in place	131–2
	Names of the senior executives and their responsibilities	31–2
	Senior management committees and their roles	31, 131, 146–9
	Corporate and operational plans and associated performance reporting and review	131–7
	Internal audit arrangements including approach adopted to identifying areas of significant financial or operational risk and arrangements to manage those risks	132, 147
	Policy and practices on the establishment and maintenance of appropriate ethical standards	134
	How nature and amount of remuneration for SES officers is determined	133–4
External scrutiny	Significant developments in external scrutiny	n/a
	Judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner	211–3
	Reports by the Auditor-General, a Parliamentary Committee, the Commonwealth Ombudsman or an agency capability review	n/a
Management of human resources	Assessment of effectiveness in managing and developing human resources to achieve departmental objectives	133–7
	Workforce planning, staff turnover and retention	135–7
	Impact and features of enterprise or collective agreements, individual flexibility arrangements (IFAs), determinations, common law contracts and Australian Workplace Agreements (AWAs)	133
	Training and development undertaken and its impact	136–7
	Work health and safety performance	134–5
	Statistics on staffing	133–4, 150–6
	Enterprise or collective agreements, IFAs, determinations, common law contracts and AWAs	133
	Performance pay	133–4
Assets management	Assessment of effectiveness of assets management	142–3
Purchasing	Assessment of purchasing against core policies and principles	142–3
Consultants	The annual report must include a summary statement detailing the number of new consultancy services contracts let during the year; the total actual expenditure on all new consultancy contracts let during the year (inclusive of GST); the number of ongoing consultancy contracts that were active in the reporting year; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST). The annual report must include a statement noting that information on contracts and consultancies is available through the AusTender website.	214–5
Australian National Audit Office Access Clauses	Absence of provisions in contracts allowing access by the Auditor-General	215
Exempt contracts	Contracts exempted from publication in AusTender	215



Financial statements	Financial statements	225–94
Other mandatory information	Work health and safety (Schedule 2, Part 4 of the <i>Work Health and Safety Act 2011</i> )	134–5
	Advertising and Market Research (section 311A of the <i>Commonwealth Electoral Act 1918</i> ) and statement on advertising campaigns	214–5
	Ecologically sustainable development and environmental performance (section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> )	143
	Compliance with the agency's obligations under the <i>Carer Recognition Act 2010</i>	n/a
	Grant programs	143
	Disability reporting—explicit and transparent reference to agency-level information available through other reporting mechanisms	134
	Information Publication Scheme statement	203
	Correction of material errors in previous annual report	224
	Agency resource statements and resources for outcomes	216–8
	List of requirements	222–4

### Compliance with *Australian Communications and Media Authority Act 2005*, Part 6, section 57, Annual report

Requirement	Page
A copy of each direction given to the ACMA under section 14 during the financial year	206–9
A copy, or extract, of each instrument given to a carrier or to a carriage service provider under section 581 of the <i>Telecommunications Act 1997</i> during the financial year	No instruments given
A report on the number and types of complaints made under Part 26 of the <i>Telecommunications Act 1997</i> A report on the investigations conducted as a result of complaints made under Part 26 The results of those investigations	70, 78–85
A report on the operation of Part 6 of the <i>Telecommunications Act 1997</i>	70, 78–86
A report setting out statistical information relating to information or documents disclosed under Division 3 of Part 13 of the <i>Telecommunications Act 1997</i>	210

### Compliance with the *Financial Management and Accountability Act 1997*

Requirement	Page
Chief Executive must give annual financial statements to the Auditor-General	225–94
Financial statements must be prepared in accordance with the Finance Minister's Orders and must give a true and fair view	228
Chief Executive must state whether, in his or her opinion, the financial statements give a true and fair view	228

### Correction of material errors in previous annual report

After printing the *Annual report 2012–13*, the ACMA found three incorrect figures in the *Highlights* section. This was subsequently corrected in an erratum that was inserted into the 2012–13 report.

# Appendix 18:

## Financial statements



## INDEPENDENT AUDITOR'S REPORT

### To the Minister for Communications

I have audited the accompanying finance statements of the Australian Communications and Media Authority (the Authority) for the year ended 30 June 2014, which comprise: a Statement by the Chief Executive and Chief Finance Officer; Statement of Comprehensive Income; Statement of Financial Position; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; Administered Schedule of Comprehensive Income; Administered Schedule of Assets and Liabilities; Administered Reconciliation Schedule; Administered Cash Flow Statement; Schedule of Administered Commitments; Schedule of Administered Contingencies; and Notes comprising a Summary of Significant Accounting Policies and other explanatory information.

### *Chief Executive's Responsibility for the Financial Statements*

The Chief Executive of the Authority is responsible for the preparation of financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Authority's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Chief Executive of the Authority, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

***Independence***

In conducting my audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

***Opinion***

In my opinion, the financial statements of the Australian Communications and Media Authority:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Australian Communications and Media Authority's financial position as at 30 June 2014 and of its financial performance and cash flows for the year then ended.

Australian National Audit Office



John Jones

Executive Director

Delegate of the Auditor-General

Canberra

4 September 2014

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
STATEMENT BY THE CHIEF EXECUTIVE AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2014 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, as amended.



Chris Chapman  
Chief Executive

3 September 2014



Anne Fleischer  
Chief Finance Officer

3 September 2014

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**STATEMENT OF COMPREHENSIVE INCOME**

*for the period ended 30 June 2014*

	Notes	2014 \$'000	2013 \$'000
<b>NET COST OF SERVICES</b>			
<b>EXPENSES</b>			
Employee benefits	3A	65,263	71,467
Suppliers	3B	28,136	32,388
Depreciation and amortisation	3C	8,635	7,388
Write-down and impairment of assets	3D	485	(7)
Losses from asset sales	3E	8	16
<b>Total expenses</b>		<b>102,527</b>	<b>111,252</b>
<b>Own-source Income</b>			
<b>Own-source revenue</b>			
Sale of goods and rendering of services	4A	271	301
Other revenue	4B	2,493	1,220
<b>Total own-source revenue</b>		<b>2,764</b>	<b>1,521</b>
<b>Gains</b>			
Other gains	4C	82	84
<b>Total gains</b>		<b>82</b>	<b>84</b>
<b>Total own-source income</b>		<b>2,846</b>	<b>1,605</b>
<b>Net (cost of)/contribution by services</b>		<b>(99,681)</b>	<b>(109,647)</b>
Revenue from Government	4D	92,387	99,271
<b>Surplus/(Deficit) attributable to the Australian Government</b>		<b>(7,294)</b>	<b>(10,376)</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
Changes in asset revaluation surplus		70	371
Total other comprehensive income before income tax		70	371
Income tax expense - other comprehensive income		-	-
<b>Total other comprehensive income/(loss)</b>		<b>70</b>	<b>371</b>
<b>Total comprehensive income/(loss) attributable to the Australian Government</b>		<b>(7,224)</b>	<b>(10,005)</b>

The above statement should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**STATEMENT OF FINANCIAL POSITION**

*as at 30 June 2014*

	Notes	2014 \$'000	2013 \$'000
<b>ASSETS</b>			
<b>Financial Assets</b>			
Cash and cash equivalents	<u>6A</u>	3,496	1,034
Trade and other receivables	<u>6B</u>	17,597	21,624
<b>Total financial assets</b>		<u>21,093</u>	<u>22,658</u>
<b>Non-Financial Assets</b>			
Land and buildings	<u>7A, C</u>	26,823	12,378
Property, plant and equipment	<u>7B, C</u>	3,483	8,365
Intangibles	<u>7D, E</u>	28,170	24,587
Other non-financial assets	<u>7F</u>	2,245	1,537
<b>Total non-financial assets</b>		<u>60,721</u>	<u>46,867</u>
<b>Total Assets</b>		<u>81,814</u>	<u>69,525</u>
<b>LIABILITIES</b>			
<b>Payables</b>			
Suppliers	<u>8A</u>	4,659	3,774
Other payables	<u>8B</u>	4,673	4,001
<b>Total payables</b>		<u>9,332</u>	<u>7,775</u>
<b>Provisions</b>			
Employee provisions	<u>9A</u>	17,610	19,098
Other provisions	<u>9B</u>	2,479	1,998
<b>Total provisions</b>		<u>20,089</u>	<u>21,096</u>
<b>Total Liabilities</b>		<u>29,421</u>	<u>28,871</u>
<b>Net Assets</b>		<u>52,393</u>	<u>40,654</u>
<b>EQUITY</b>			
<b>Parent Entity Interest</b>			
Contributed equity		81,346	62,385
Reserves		899	1,964
Retained surplus/(accumulated deficit)		<u>(29,852)</u>	<u>(23,693)</u>
<b>Total Equity</b>		<u>52,393</u>	<u>40,656</u>

The above statement should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
**STATEMENT OF CHANGES IN EQUITY**  
*for the period ended 30 June 2014*

	Retained earnings		Asset revaluation reserve		Contributed equity/capital		Total equity	
	2014	2013	2014	2013	2014	2013	2014	2013
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Opening balance</b>								
Balance carried forward from previous period	(23,693)	(13,299)	1,964	1,575	62,385	54,219	40,656	42,495
<b>Adjusted opening balance</b>	<b>(23,693)</b>	<b>(13,299)</b>	<b>1,964</b>	<b>1,575</b>	<b>62,385</b>	<b>54,219</b>	<b>40,656</b>	<b>42,495</b>
<b>Comprehensive income</b>								
Revaluation increment/(decrement) on non-financial assets	-	-	70	371	-	-	70	371
Surplus (Deficit) for the period	(7,294)	(10,376)	-	-	-	-	(7,294)	(10,376)
<b>Total comprehensive income</b>	<b>(7,294)</b>	<b>(10,376)</b>	<b>70</b>	<b>371</b>	<b>-</b>	<b>-</b>	<b>(7,224)</b>	<b>(10,005)</b>
<b>Transactions with owners</b>								
<b>Contributions by owners</b>								
Equity injection - Appropriations	-	-	-	-	5,841	8,166	5,841	8,166
Departmental capital budget	-	-	-	-	13,120	-	13,120	-
<b>Total transactions with owners</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>18,961</b>	<b>8,166</b>	<b>18,961</b>	<b>8,166</b>
Transfer of revaluation reserve of derecognised non-financial assets	1,135	(18)	(1,135)	18	-	-	-	-
<b>Closing balance as at 30 June</b>	<b>(29,852)</b>	<b>(23,693)</b>	<b>899</b>	<b>1,964</b>	<b>81,346</b>	<b>62,385</b>	<b>52,393</b>	<b>40,656</b>
<b>Closing balance attributable to the Australian Government</b>	<b>(29,852)</b>	<b>(23,693)</b>	<b>899</b>	<b>1,964</b>	<b>81,346</b>	<b>62,385</b>	<b>52,393</b>	<b>40,656</b>

The above statement should be read in conjunction with the accompanying notes.



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
**CASH FLOW STATEMENT**

for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>OPERATING ACTIVITIES</b>			
<b>Cash received</b>			
Sale of goods and rendering of services		351	747
Appropriations		94,230	103,563
Net GST received		4,423	3,990
Other		<u>2,547</u>	<u>1,247</u>
<b>Total cash received</b>		<u>101,551</u>	<u>109,547</u>
<b>Cash used</b>			
Employees		66,853	71,044
Suppliers		<u>32,236</u>	<u>37,502</u>
<b>Total cash used</b>		<u>99,089</u>	<u>108,546</u>
<b>Net cash from/(used by) operating activities</b>	<u>10</u>	<u>2,462</u>	<u>1,001</u>
<b>Cash used</b>			
Purchase of property, plant and equipment		14,292	2,866
Purchase of intangibles		<u>7,901</u>	<u>8,767</u>
<b>Total cash used</b>		<u>22,193</u>	<u>11,633</u>
<b>Net cash from/(used by) investing activities</b>		<u>(22,193)</u>	<u>(11,633)</u>
<b>FINANCING ACTIVITIES</b>			
<b>Cash received</b>			
Contributed equity		<u>22,193</u>	10,351
<b>Total cash received</b>		<u>22,193</u>	<u>10,351</u>
<b>Net cash from financing activities</b>		<u>22,193</u>	<u>10,351</u>
<b>Net increase/(decrease) in cash held</b>		<u>2,462</u>	<u>(281)</u>
<b>Cash and cash equivalents at the beginning of the reporting period</b>		<u>1,034</u>	<u>1,315</u>
<b>Cash and cash equivalents at the end of the reporting period</b>	<u>6A</u>	<u>3,496</u>	<u>1,034</u>

The above statement should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
**SCHEDULE OF COMMITMENTS**

for the period ended 30 June 2014

	2014	2013
	\$'000	\$'000
<b>BY TYPE</b>		
<b>Commitments receivable</b>		
Net GST recoverable on commitments	7,497	7,287
<b>Total commitments receivable</b>	<u>7,497</u>	<u>7,287</u>
<b>Commitments payable</b>		
<b>Other commitments</b>		
Operating leases <sup>1</sup>	58,501	65,328
Suppliers <sup>2</sup>	23,970	14,837
<b>Total other commitments</b>	<u>82,471</u>	<u>80,165</u>
<b>Net commitments by type</b>	<u>(74,974)</u>	<u>(72,878)</u>
<b>BY MATURITY</b>		
<b>Commitments receivable</b>		
<b>Other commitments receivable</b>		
One year or less	1,588	1,799
From one to five years	3,483	5,488
Over five years	2,426	-
<b>Total other commitments receivable</b>	<u>7,497</u>	<u>7,287</u>
<b>Commitments payable</b>		
<b>Operating leases commitments<sup>1</sup></b>		
One year or less	6,333	7,368
From one to five years	32,778	25,995
Over five years	19,390	31,965
<b>Total operating lease commitments</b>	<u>58,501</u>	<u>65,328</u>
<b>Supplier Commitments</b>		
One year or less	11,139	12,425
From one to five years	5,534	2,412
Over five years	7,297	-
<b>Total supplier commitments</b>	<u>23,970</u>	<u>14,837</u>
<b>Net commitments by maturity</b>	<u>(74,974)</u>	<u>(72,878)</u>

NB: Commitments are GST inclusive where relevant.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
**SCHEDULE OF COMMITMENTS**

for the period ended 30 June 2014

<sup>1</sup>Operating leases are effectively non-cancellable and comprise:

<b>General description of leasing arrangement</b>													
Leases for office accommodation	<p>Office lease payments are subject to annual increases in accordance with upward movements of the Consumer Price Index or increased by a fixed rate. All office accommodation leases are current. A number of leases allow for extensions, the longest option providing for two five year extensions at the ACMA's discretion. On renewal, each lease allows for a market review to set the new rental base.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Accomodation Lease</th> <th style="text-align: center;">Minimum end date period</th> </tr> </thead> <tbody> <tr> <td>Brisbane</td> <td>November 2015</td> </tr> <tr> <td>Canberra</td> <td>August 2023</td> </tr> <tr> <td>Melbourne</td> <td>December 2023</td> </tr> <tr> <td>Parramatta</td> <td>March 2016</td> </tr> <tr> <td>Sydney</td> <td>February 2021</td> </tr> </tbody> </table>	Accomodation Lease	Minimum end date period	Brisbane	November 2015	Canberra	August 2023	Melbourne	December 2023	Parramatta	March 2016	Sydney	February 2021
Accomodation Lease	Minimum end date period												
Brisbane	November 2015												
Canberra	August 2023												
Melbourne	December 2023												
Parramatta	March 2016												
Sydney	February 2021												
Agreements for the provision of motor vehicles	No contingent rentals exist. There are no renewal or purchase options available to the ACMA.												

<sup>2</sup>Suppliers represents the future commitments for goods and services secured by long term purchase orders and generally relates to contractors and outsourced service providers.

This schedule should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**  
**SCHEDULE OF CONTINGENCIES**

*as at 30 June 2014*

	<b>2014</b>	2013
	<b>\$'000</b>	\$'000
<b>Contingent assets</b>		
Guarantees	-	-
Indemnities	-	-
Claims for damages or costs	-	-
<b>Total contingent assets</b>	<b>-</b>	<b>-</b>
<b>Contingent liabilities</b>		
Guarantees	-	-
Indemnities	-	-
Deed of Indemnity	-	-
<b>Total contingent liabilities</b>	<b>-</b>	<b>-</b>
<b>Net contingent assets</b>	<b>-</b>	<b>-</b>

The ACMA has no quantifiable and remote contingencies (2013: Nil)

The above schedule should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Administered Schedule of Comprehensive Income***for the period ended 30 June 2014*

	Notes	2014 \$'000	2013 \$'000
<b>NET COST OF SERVICES</b>			
<b>EXPENSES</b>			
Subsidies	16A	-	145,274
Write-down and impairment of assets	16B	-	238
<b>Total expenses</b>		<u>-</u>	<u>145,512</u>
<b>INCOME</b>			
<b>Revenue</b>			
<b>Taxation revenue</b>			
Other taxes	17A	388,186	346,374
<b>Total taxation revenue</b>		<u>388,186</u>	<u>346,374</u>
<b>Non-taxation revenue</b>			
Sale of goods and rendering of services	17B	3,469	4,083
Fees and fines	17C	42,887	42,887
Other revenue	17D	220,819	145,325
<b>Total non-taxation revenue</b>		<u>267,175</u>	<u>192,295</u>
<b>Total Revenue</b>		<u>655,361</u>	<u>538,669</u>
<b>Gains</b>			
Sale of assets	17E	1,580	1,483,377
Reversal of previous asset write-downs and impairments	17F	42	-
<b>Total gains</b>		<u>1,622</u>	<u>1,483,377</u>
<b>Total income</b>		<u>656,983</u>	<u>2,022,046</u>
<b>Net (cost of)/contribution by services</b>		<u>656,983</u>	<u>1,876,534</u>
<b>Surplus/(Deficit) after income tax on continuing operations</b>		<u>656,983</u>	<u>1,876,534</u>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Total comprehensive income/(loss)</b>		<u>656,983</u>	<u>1,876,534</u>

The above schedule should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Administered Schedule of Assets and Liabilities***as at 30 June 2014*

	Notes	2014 \$'000	2013 \$'000
<b>ASSETS</b>			
<b>Financial assets</b>			
Cash and cash equivalents	18A	500	156
Taxation receivables	18B	167,084	174,320
Trade and other receivables	18C	38,478	38,994
Other financial assets	18D	453	453
<b>Total financial assets</b>		<b>206,515</b>	<b>213,923</b>
<b>Total assets administered on behalf of Government</b>		<b>206,515</b>	<b>213,923</b>
<b>LIABILITIES</b>			
<b>Payables</b>			
Prepayments	19A	276,432	60,702
Other payables	19A	1,653	1,742
<b>Total payables</b>		<b>278,085</b>	<b>62,444</b>
<b>Total liabilities administered on behalf of Government</b>		<b>278,085</b>	<b>62,444</b>
<b>Net assets/(liabilities)</b>		<b>(71,570)</b>	<b>151,479</b>

The above schedule should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Administered Reconciliation Schedule**

	2014	2013
	\$'000	\$'000
<b>Opening administered assets less administered liabilities as at 1 July</b>	<b>151,479</b>	240,494
<b>Adjusted opening administered assets less administered liabilities</b>	<b>151,479</b>	240,494
Plus: Administered income	<b>656,983</b>	2,022,046
Less: Administered expenses	-	(145,512)
<b>Administered transfers to/from Australian Government:</b>		
Appropriation transfers from OPA:	<b>2,335</b>	204,325
Transfers to OPA	<b>(882,367)</b>	(2,169,874)
<b>Closing administered assets less administered liabilities as at 30 June</b>	<b>(71,570)</b>	151,479

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Administered Cash Flow Statement**

for the period ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>OPERATING ACTIVITIES</b>			
Cash received			
Sales of goods and rendering of services		3,542	24,450
Taxes		658,527	427,427
Fees		4,153	2,264
Fines		1,147	559
Net GST received		-	5,717
Other		215,633	94,568
<b>Total cash received</b>		<b>883,002</b>	<b>554,985</b>
<b>Cash used</b>			
Subsidies paid		-	(64,234)
Other		(4,206)	(8,799)
<b>Total cash used</b>		<b>(4,206)</b>	<b>(73,033)</b>
<b>Net cash/from (used by) operating activities</b>	20	<b>878,796</b>	<b>481,952</b>
<b>INVESTING ACTIVITIES</b>			
<b>Cash received</b>			
Proceeds from sale of of intangibles		1,580	1,483,377
<b>Total cash received</b>		<b>1,580</b>	<b>1,483,377</b>
<b>Net cash from/(used by) investing activities</b>		<b>1,580</b>	<b>1,483,377</b>
<b>Net increase/(decrease) in Cash Held</b>		<b>880,376</b>	<b>1,965,329</b>
Cash and cash equivalents at the beginning of the reporting period		156	377
<b>Cash from Official Public Account</b>			
-Appropriations		2,335	204,325
<b>Cash from Official Public Account</b>		<b>2,335</b>	<b>204,325</b>
<b>Cash to Official Public Account</b>			
- Appropriations		(661,572)	(2,169,874)
- Transfer to other entities (Finance - Whole of Government)		(220,795)	-
		<b>(882,367)</b>	<b>(2,169,874)</b>
<b>Cash and cash equivalents at the end of the reporting period</b>		<b>500</b>	<b>156</b>

This schedule should be read in conjunction with the accompanying notes.



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Schedule of Administered Commitments***for the period ended 30 June 2014*

	2014	2013
	\$'000	\$'000
<b>BY TYPE</b>		
<b>Commitments receivable</b>		
Other Commitment	1,988,594	2,023,983
<b>Total commitments receivable</b>	<u>1,988,594</u>	<u>2,023,983</u>
<b>Net commitments by type</b>	<u>1,988,594</u>	<u>2,023,983</u>
<b>BY MATURITY</b>		
<b>Other commitments receivable</b>		
One year or less	1,988,594	59,330
From one to five years		1,964,653
<b>Total other commitment receivable</b>	<u>1,988,594</u>	<u>2,023,983</u>
<b>Total commitments receivable</b>	<u>1,988,594</u>	<u>2,023,983</u>
<b>Net commitments by maturity</b>	<u>1,988,594</u>	<u>2,023,983</u>

On 23 April 2013, The Australian Communication and Media Authority (ACMA) commenced the digital dividend spectrum auction. The auction was held to reallocate radiofrequency spectrum in the 700 MHz band (the 'digital dividend') and the 2.5 GHz band. The auction concluded on the 7th of May 2013 which resulted a total spectrum sales of \$1.965b. The ACMA has now invoiced successful bidders and can expect to receive payment in September 2014.

The ACMA is expecting to receive \$23.941m next financial year for the reissue of expiring 15 year spectrum licences.

The above schedule should be read in conjunction with the accompanying notes.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Schedule of Administered Contingencies***as at 30 June 2014*

	2014 \$'000	2013 \$'000
<b>Administered contingent assets</b>		
Guarantees	-	-
Indemnities	-	-
Claims for damages or costs	-	-
<b>Total administered contingent assets</b>	<u>-</u>	<u>-</u>
<b>Administered contingent liabilities</b>		
Guarantees	-	-
Indemnities	-	-
Claims for damages or costs	-	-
<b>Total administered contingent liabilities</b>	<u>-</u>	<u>-</u>
<b>Net administered contingent assets (liabilities)</b>	<u>-</u>	<u>-</u>

The ACMA has no administered contingencies as at 30 June 2014 and had no administered contingencies as at 30 June 2013

The above schedule should be read in conjunction with the accompanying notes.

## **AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

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Note 24: Appropriations

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Note 26: Compensation and Debt Relief

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Note 28: Net Cash Appropriation Arrangements

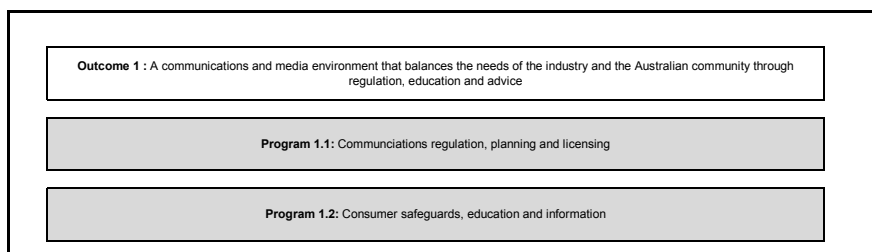
## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### 1.1 Objectives of The Australian Communications and Media Authority

The Australian Communications and Media Authority (ACMA) is an Australian Government controlled entity. It is a not-for-profit entity. The objective of the ACMA is to enable a communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice.

The entity is structured to meet the following outcomes and programs:



The continued existence of the ACMA in its present form and with its present programs is dependent on Government policy and on continuing appropriations by Parliament for the ACMA's administration and programs.

The ACMA's activities contributing toward these outcomes are classified as either departmental or administered.

- Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the ACMA in its own right.
- Administered activities involve the management or oversight by the ACMA, on behalf of the Government, of items controlled or incurred by the Government.

The ACMA administers the following activities on behalf of the Government:

- regulation of the telecommunications and radiofrequency services;
- managing access to the radiofrequency spectrum bands through radiocommunications licence arrangements;
- regulating compliance with the relevant legislation, licence conditions, codes of conduct and other service standards;
- promoting and facilitating industry self-regulation, exercising its powers when necessary, and reporting on matters of importance to the communication industry,
- managing Australia's "Do Not Call Register"; and
- representing Australia's communication interests internationally.

#### 1.2 Basis of Preparation of the Financial Statements

The financial statements are general purpose financial statements and are required by section 49 of the *Financial Management and Accountability Act 1997*.

The Financial Statements have been prepared in accordance with:

- a) Finance Minister's Orders (or FMOs) for reporting periods ending on or after 1 July 2011; and
- b) Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMOs, assets and liabilities are recognised in the Statement of Financial Position when and only when it is probable that future economic benefits will flow to the ACMA or a future sacrifice of economic benefits will be required, and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under executor contracts are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the schedule of contingencies.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the Statement of Comprehensive Income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

Administered revenues, expenses, assets, liabilities and cash flows reported in the Schedule of Administered Items and related notes are accounted for on the same basis, using the same policies as for departmental items, except where otherwise stated at Note 1.19.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### 1.3 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the ACMA has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- The fair value of land and buildings has been taken to be the market value of similar properties as taken by an independent valuer. In some instances, the ACMA's buildings are purpose-built and may in fact realise more or less in the market.
- The fair value of plant and equipment has been taken to be the market value of similar items taken by an independent valuer including allowances for physical deterioration of the asset.
- The provision for long service leave has been estimated using present value techniques, which take account to attrition rates and pay increases through promotion and inflation.
- The provision for impairment of financial assets are assessed on monthly basis. When a receivable is for more than 90 days the debt is considered doubtful and a provision for the non-recovery of the debt is made.

Other than as noted below, no other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

- The amortised value of the administered receivable from broadcasting licence fees and datacasting charges has been estimated based on the prior year assessed licence fees on the assumption that all rebates will be claimed by broadcasting licensees and regardless of licensee compliance with rebate conditions. No indexation or other adjustments have applied for inflation, new participants paying the levies and charges or growth in earnings from broadcasting.

#### 1.4 New Australian Accounting Standards

##### Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date as stated in the standard.

The following new, revised or amended Standards or Interpretation were issued prior to the signing of the statement by the Chairman and Chief Finance Officer, were applicable to the current reporting period and had a material effect on the ACMA's financial statements.

Standard/Interpretation	Nature of change in accounting policy, transitional provisions <sup>1</sup> and adjustments to the financial statements.
AASB 13 Fair Value Measurements	Requires entities to classify fair value measurements into three levels based upon the lowest level of inputs used.  AASB 13 also requires a number of new disclosure requirement for assets and liabilities carried at fair value (refer to Note 5: Fair Value Measurements).

1) When transitional provisions apply, all changes in accounting policy are made in accordance with the respected transitional provisions.

All other new, revised or amending Standards or Interpretations that were issued prior to the sign-off and are applicable to the current period did not have material effect and are not expected to have future material effect.

##### Future Australian Accounting Standard Requirements

The following new, revised or amending Standards or Interpretations were issued by the Australian Accounting Standards Board prior to the signing of the financial statements by the Chairman and the Chief Finance Officer, which are expected to have material effect on the ACMA's financial statements for future reporting periods.

Standard/Interpretation	Application date for the ACMA <sup>1</sup>	Nature of impending changes/s in accounting policy and likely impact on initial application
AASB 1055 Budgetary Reporting	1 July 2014	Requires reporting of budgetary information by not-for-profit entities within the General Government Sector. In particular: - original budget presented to Parliament; - variance of actuals from budgets; and - explanations of significant variances.  Likely impact: Provide users with information relevant to assessing the performance of the ACMA, including accountability of public resources entrusted to it.

1. The ACMA's expected initial application date is when the accounting standard becomes operational at the beginning of the reporting period.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### 1.5 Revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- the ACMA retains no managerial involvement or effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the ACMA.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- the probable economic benefits associated with the transaction will flow to the ACMA.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at the end of reporting period. Allowances are made when collectability of the debt is no longer probable.

#### Revenue from Government

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the ACMA gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

Appropriations receivable are recognised at their nominal amounts.

#### Resources Received Free of Charge

Resources received free of charge are recognised as revenue when and only when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Contributions of assets at no cost of acquisition or for a nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government agency or authority as a consequence of a restructuring of administrative arrangements (refer to Note 1.6).

#### Parental Leave Payments Scheme

Amounts received under the Parental Leave Payments Scheme by the ACMA not yet paid to employees have been presented at the gross amount as cash and a liability (payable).

#### 1.6 Gains

#### Resources Received Free of Charge

Resources received free of charge are recognised as gains when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government entity as a consequence of a restructuring of administrative arrangements (Refer to Note 1.7).

#### Sale of Assets

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

#### 1.7 Transactions with the Government as Owner

#### Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

#### Restructuring of Administrative Arrangements

Net assets received from or relinquished to another Australian Government entity under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### Other Distributions to Owners

The FMOs require that distributions to owners be debited to contributed equity unless it is in the nature of a dividend. In 2013-14, no surplus output appropriation funding was relinquished and returned to the Official Public Account. Last year, the ACMA also had no surplus output appropriation funding to relinquish.

#### 1.8 Employee Benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits due within twelve months of end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

#### Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the ACMA is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the ACMA's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the short hand method prescribed by the Department of Finance's Finance Brief 13 Measurement of Commonwealth Sector Employee Leave Entitlements. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

#### Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The ACMA recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

#### Superannuation

The ACMA's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance as administered schedules and notes.

The ACMA makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government of the superannuation entitlements of the ACMA's employees. The ACMA accounts for the contributions as if they were contributions to defined contribution plans.

The ACMA makes contributions to other approved superannuation funds nominated by employees who have exercised their right to choose other funds. The contributions are made at a fixed rate to defined contribution schemes.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

#### 1.9 Leases

A distinction is made between finance leases and operating leases.

- Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets.
- An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Where an asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a straight-line basis which is representative of the pattern of benefits derived from the leased assets.

#### 1.10 Fair Value Measurements

Transfer between levels of Fair value hierarchy occurs when there is availability of sales data of an identical asset.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### 1.11 Cash

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- cash on hand;
- cash held by outsiders, and
- cash in special accounts.

#### 1.12 Financial Assets

The only category of financial assets held by the ACMA is "loans and receivables".

These financial assets are not interest bearing, and are recognised and derecognised upon trade date.

##### Loans and Receivables

Loans and other receivables that have fixed or determinable payments, that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment.

##### Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period.

*Financial assets held at amortised cost* - If there is objective evidence that an impairment loss has been incurred for loans and receivables, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Statement of Comprehensive Income.

#### 1.13 Financial Liabilities

The only category of financial liabilities in the ACMA is classified as "other financial liabilities".

Financial liabilities are recognised and derecognised upon trade date.

##### Other Financial Liabilities

Other financial liabilities are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

#### 1.14 Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the Statement of Financial Position but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

#### 1.15 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.



## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### 1.16 Property, Plant and Equipment

##### Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than the applicable threshold, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total). The asset thresholds have not been changed during the current financial year.

Asset Class	Threshold
Buildings	\$50,000
Leasehold improvements	\$10,000
Plant and equipment	\$5,000
Motor vehicles	\$10,000
Software - purchased	\$10,000
Software - internally developed	\$10,000

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the ACMA where there exists an obligation to restore the property to its original condition. These costs are included in the value of the ACMA's leasehold improvements with a corresponding provision for the 'make good' recognised.

##### Revaluations

Fair values for each class of asset are determined as shown below:

Asset Class	Revaluation cycle	Fair Value Measured at
Land	Annually	Market approach
Building	Tri-annually	Depreciated replacement cost
Leasehold Improvements	Tri-annually	Depreciated replacement cost
Plant & Equipment	Tri-annually	Depreciated replacement cost
Motor Vehicles	Tri-annually	Depreciated replacement cost

Following initial recognition at cost, property plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

##### Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the ACMA using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

Asset Class	Useful Life
Buildings	5 to 40 years
Plant & Equipment	3 to 15 years
Motor vehicles	5 to 10 years

Land has indefinite useful life and is not depreciated.

##### Impairment

All assets were assessed for impairment at 30 June 2014. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the ACMA were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 1: Summary of Significant Accounting Policies

#### Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

#### 1.17 Intangibles

The ACMA's intangibles comprise internally developed and purchased software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the ACMA's software are 3 to 10 years, and have not changed from previous years.

All software assets were assessed for indications of impairment as at 30 June 2014.

#### 1.18 Taxation / Competitive Neutrality

The ACMA is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

#### Competitive Neutrality

The ACMA does not provide any services on a for profit basis and does not have any Competitive Neutrality obligations.

#### 1.19 Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the schedule of administered schedules and related notes.

Except where otherwise stated below, administered schedules are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

#### Administered Cash Transfers to and from the Official Public Account

Revenue collected by the ACMA for use by the Government rather than the ACMA is administered revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the ACMA on behalf of the Government and reported as such in the schedule of administered cash flow administered items and in the administered reconciliation schedule. Thus the Schedule of Administered Items largely reflects the Government's transactions, through the ACMA, with parties outside the Government.

#### Revenue

All administered revenues are revenues relating to the course of ordinary activities performed by the ACMA on behalf of the Australian Government.

Contributions from industries in the form of taxes, industry levies and fines are recognised as revenue when:

- The economic activity giving rise to the Government's right to the contribution has taken place; and
- The liability to contribution can be reliably measured.

#### Loans and Receivables

Where loans and receivables are not subject to concessional treatment, they are carried at amortised cost using the effective interest method. Gains and losses due to impairment, derecognition and amortisation are recognised through profit or loss.

#### Subsidies

Telecommunications Industry Levy (replaced NRS and USO levies) is managed by the Telecommunications Universal Management Agency (TUSMA). The ACMA will continue to collect levies on behalf of TUSMA, remit them to the OPA and report them as Non taxation revenues.

### Note 2: Events After the Reporting Period

#### Departmental

No event has occurred after the balance date that should be disclosed in these statements.

#### Administered

No event has occurred after the balance date that should be disclosed in these statements.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 3: Expenses**

	<b>2014</b>	2013
	<b>\$'000</b>	\$'000
<b>Note 3A: Employee Benefits</b>		
Wages and salaries	46,128	49,452
Superannuation:		
Defined contribution plans	3,778	3,938
Defined benefit plans	6,179	6,340
Leave and other entitlements	7,370	9,707
Separation and redundancies	1,808	2,030
<b>Total employee benefits</b>	<b>65,263</b>	<b>71,467</b>
<b>Note 3B: Suppliers</b>		
<b>Goods and services supplied or rendered</b>		
Consultants	1,012	2,309
Contractors	1,948	3,535
Outsourced services	6,265	4,559
Stationery and publications	382	686
Legal costs	696	1,235
Occupancy costs	2,360	2,552
I.T. and communications services	3,771	3,624
Travel costs	1,746	2,707
Other	3,305	3,817
<b>Total goods and services supplied or rendered</b>	<b>21,485</b>	<b>25,024</b>
<b>Goods supplied in connection with</b>		
External parties	703	763
<b>Total good supplied</b>	<b>703</b>	<b>763</b>
<b>Services rendered in connection with</b>		
Related entities	1,193	1,199
External parties	19,589	23,062
<b>Total goods and services supplied or rendered</b>	<b>21,485</b>	<b>25,024</b>
<b>Other supplier expenses</b>		
External Parties		
Minimum lease payments	5,804	6,676
Workers compensation expenses	847	688
<b>Total other supplier expenses</b>	<b>6,651</b>	<b>7,364</b>
<b>Total supplier</b>	<b>28,136</b>	<b>32,388</b>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 3: Expenses****Note 3C: Depreciation and Amortisation****Depreciation:**

Buildings and leasehold improvements	1,318	1,036
Property, plant and equipment	2,156	2,029
<b>Total depreciation</b>	<b>3,474</b>	<b>3,065</b>

**Amortisation:**

Intangibles	5,161	4,323
<b>Total amortisation</b>	<b>5,161</b>	<b>4,323</b>
<b>Total depreciation and amortisation</b>	<b>8,635</b>	<b>7,388</b>

**Note 3D: Write-Down and Impairment of Assets****Asset write-downs and impairments from:**

Impairment on financial instruments	10	(3)
Impairment of property, plant and equipment	456	-
Impairment on intangible assets	19	-
Revaluation increment - Land	-	(20)
Revaluation decrement - property, plant and equipment	-	16
<b>Total write-down and impairment of assets</b>	<b>485</b>	<b>(7)</b>

**Note 3E: Losses from Asset Sales**

Carrying value of assets sold	8	16
<b>Total losses from asset sales</b>	<b>8</b>	<b>16</b>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 4: Own-Source Income**

	2014	2013
	\$'000	\$'000

**Own-Source Income****Note 4A: Sale of Goods and Rendering of Services****Sales of goods in connection with**

Related entities	44	231
External parties	224	69
Rendering of services - external parties	3	1
<b>Total sale of goods and rendering services</b>	<u>271</u>	<u>301</u>

**Note 4B: Other Revenue**

Number allocation charges	2,182	1,110
Other	311	110
<b>Total other revenue</b>	<u>2,493</u>	<u>1,220</u>

**GAINS****Note 4C: Other Gains**

Resources received free of charge	82	84
<b>Total other gains</b>	<u>82</u>	<u>84</u>

**REVENUE FROM GOVERNMENT****Note 4D: Revenue from Government****Appropriations:**

Departmental appropriations	92,387	99,271
<b>Total revenue from Government</b>	<u>92,387</u>	<u>99,271</u>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 5: Fair Value Measurements

The following tables provide an analysis of assets and liabilities that are measured at fair value. The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at measurement date.  
Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.  
Level 3: Unobservable inputs for the asset or liability.

#### Note 5A: Fair Value Measurements

##### Fair value measurements at the end of the reporting period by hierarchy for assets and liabilities in 2014

	Fair value measurements at the end of the reporting period			
	Fair value	Level 1 inputs	Level 2 inputs	Level 3 inputs
	\$'000	\$'000	\$'000	\$'000
<b>Non-financial assets</b>				
Land	6,920	-	6,920	-
Buildings on freehold land	209	-	-	209
Leasehold improvements	19,694	-	-	19,694
Other property, plant and equipment	3,483	-	3,483	-
<b>Total non-financial assets</b>	<b>30,306</b>	<b>-</b>	<b>10,403</b>	<b>19,903</b>
<b>Total non-financial assets</b>	<b>30,306</b>	<b>-</b>	<b>10,403</b>	<b>19,903</b>
<b>Total fair value measurements of assets in the statement of financial position</b>	<b>30,306</b>	<b>-</b>	<b>10,403</b>	<b>19,903</b>
<b>Total fair value measurements of assets in the statement of financial position</b>	<b>30,306</b>	<b>-</b>	<b>10,403</b>	<b>19,903</b>

#### Fair value measurements - highest and best use differs from current use for non-financial assets (NFAs)

The highest and best use of all non-financial assets are the same as their current use

#### Note 5B: Level 1 and Level 2 Transfers for Recurring Fair Value Measurements

There were no level transfers between level 1,2 and 3 during the reporting period.

The ACMA's policy for determining when transfers between levels are deemed to have occurred can be found in Note 1.

#### Note 5C: Valuation Technique and Inputs for Level 2 and Level 3 Fair Value Measurements

##### Level 2 and 3 fair value measurements - valuation technique and the inputs used for assets and liabilities in 2014

	Category (Level 2 or Level 3)	Fair value	Valuation technique(s) <sup>1</sup>	Inputs used	Range (weighted average) <sup>2</sup>
<b>Non-financial assets</b>					
Land	Level 2	6,920	Market approach	Sale prices of comparable land, land size, and appreciation rate	N/A
Buildings on freehold land	Level 3	209	Depreciated replacement cost	Cost per square metre	\$1,680-\$2,000 (\$1,939)
Leasehold Improvements	Level 3	19,694	Depreciated replacement cost	Fit-out costs per square metre.	\$1,400-\$1,910 (\$797)
Other property, plant and equipment	Level 2	3,483	Market approach	Cost of acquiring similar assets with equivalent service	N/A

1. No change in valuation technique occurred during the period.

2. Significant unobservable inputs only. Not applicable for assets or liabilities in the Level 2 category.

For Leasehold improvements, the ACMA procured valuation services from Colliers International in 2013 and relied on valuation models provided by Colliers. The ACMA analyses changes in fair value measurements every 3 years. Colliers provided the ACMA written assurance that the model developed is in compliance with AASB 13 requirements.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 5: Fair Value Measurements**

For Other property, plant and equipment measured at depreciated replacement cost, the ACMA procured valuation services from Pickles Valuation Services (Pickles) in 2013 and relied on valuation methods provided by Pickles. The ACMA analyses changes in fair value measurements every 3 years. Pickles provided the ACMA written assurance that the model developed is in compliance with AASB 13 requirements.

**Recurring Level 3 fair value measurements - sensitivity of inputs**

The significant unobservable inputs used in the fair value measurement of the ACMA's leasehold improvements and buildings are costs per square metre of similar properties in the relevant city. Significant increases (decreases) of any of those inputs in isolation would result in a significantly higher (lower) fair value measurements.

**Note 5D: Reconciliation for Recurring Level 3 Fair Value Measurements****Recurring Level 3 fair value measurements - reconciliation for Non-financial assets**

	Non-financial assets		
	Buildings on free	Leasehold	Total
	hold land	Improvements	
	2014	2014	2014
	\$'000	\$'000	\$'000
<b>Opening balance</b>	222	5,306	5,528
Total gains/(losses) recognised in net cost of services <sup>1</sup>	(13)	(1,592)	(1,605)
Purchases	-	15,980	15,980
<b>Closing balance</b>	209	19,694	19,903

1. These gains/(losses) are presented in the Statement of Comprehensive Income are for depreciation and impairment for the reporting period.

The entity's policy for determining when transfers between levels are deemed to have occurred can be found in Note 1.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 6: Financial Assets

	2014	2013
	\$'000	\$'000
<b>Note 6A: Cash and Cash Equivalents</b>		
Cash on hand or on deposit	3,419	962
Cash held for external parties	77	72
<b>Total cash and cash equivalents</b>	<b>3,496</b>	<b>1,034</b>
<b>Note 6B: Trade and Other Receivables</b>		
<b>Good and Services:</b>		
Related entities	13	-
External parties	22	46
<b>Total receivables for goods and services</b>	<b>35</b>	<b>46</b>
<b>Appropriations receivable:</b>		
For existing outputs	16,964	20,904
<b>Total appropriations receivable</b>	<b>16,964</b>	<b>20,904</b>
<b>Other receivables:</b>		
GST receivable from the Australian Taxation Office	449	382
Other	159	292
<b>Total other receivables</b>	<b>608</b>	<b>674</b>
<b>Total trade and other receivables (gross)</b>	<b>17,607</b>	<b>21,624</b>
<b>Less impairment allowance account:</b>		
Goods and services	10	-
<b>Total impairment allowance account</b>	<b>10</b>	<b>-</b>
<b>Total trade and other receivables (net)</b>	<b>17,597</b>	<b>21,624</b>
<b>Receivables are expected to be recovered in:</b>		
No more than 12 months	17,597	21,624
More than 12 months	-	-
<b>Total trade and other receivables (net)</b>	<b>17,597</b>	<b>21,624</b>
<b>Receivables are aged as follows:</b>		
Not overdue	17,573	21,621
Overdue by:		
0 to 30 days	24	3
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	10	-
<b>Total receivables (gross)</b>	<b>17,607</b>	<b>21,624</b>
<b>The impairment allowance account is aged as follows:</b>		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	10	-
<b>Total impairment allowance account</b>	<b>10</b>	<b>-</b>



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 6: Financial Assets****Reconciliation of the Impairment Allowance Account:****Movements in relation to 2014**

	Goods and services \$'000	Total \$'000
<b>Opening balance</b>	-	-
<b>Amounts written off</b>	10	10
<b>Closing balance</b>	10	10

**Movements in relation to 2013**

	Goods and services \$'000	Total \$'000
Opening balance	53	53
Amounts recovered and reversed	(53)	(53)
Increase/ (decrease) recognised in net surplus	-	-
Closing balance	-	-

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 7: Non-Financial Assets

	2014	2013
	\$'000	\$'000
<b>Note 7A: Land and Buildings</b>		
<b>Land</b>		
Land at fair value	6,920	6,850
<b>Total Land</b>	<b>6,920</b>	<b>6,850</b>
<b>Buildings on freehold land:</b>		
Buildings		
Work in progress	-	-
Fair value	222	222
Accumulated depreciation	(13)	-
<b>Total buildings on freehold land</b>	<b>209</b>	<b>222</b>
<b>Leasehold improvements:</b>		
Fair value	20,698	5,306
Leasehold Improvements		
Accumulated depreciation	(1,004)	-
<b>Total leasehold improvements</b>	<b>19,694</b>	<b>5,306</b>
<b>Total land and buildings</b>	<b>26,823</b>	<b>12,378</b>

No indicators of impairment were found for land and buildings.

Land was revalued by independent valuers at 30 June 2014 in accordance with the revaluation policy stated at Note 1.16.

### Note 7B: Property, Plant and Equipment

#### Property, plant and equipment:

Fair value	5,576	8,365
Accumulated depreciation	(2,093)	-
<b>Total Property, plant and equipment</b>	<b>3,483</b>	<b>8,365</b>

No indicators of impairment were found for property, plant and equipment.

#### Revaluations of non-financial assets

Revaluation increment of \$70,000 for Land (2013: increment of \$20,000)

Movements on the revaluation reserves are as follows:

Asset Class	Increment (Decrement)	Increment (Decrement)
Land	70	20
Building	-	(19)
Leasehold Improvements	(1,146)	(44)
Plant and Equipment	(4)	434
Technical Equipment	15	-

All increments and decrements were transferred to the asset revaluation surplus by asset class and included in the equity section. A value of \$1.135m was transferred from the Asset revaluation reserve account to retain earnings for decommissioned assets that had revaluation reserve balances.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 7: Non-Financial Assets**

**Note 7C: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2013-14)**

	Land \$'000	Buildings \$'000	Total land and buildings \$'000	Other property, plant & equipment \$'000	WIP \$'000	Total \$'000
As at 1 July 2013						
Gross book value	6,850	5,528	12,378	4,177	4,188	16,555
Accumulated depreciation and impairment	-	-	-	-	-	-
<b>Net book value 1 July 2013</b>	<b>6,850</b>	<b>5,528</b>	<b>12,378</b>	<b>4,177</b>	<b>4,188</b>	<b>20,743</b>
Additions						
By purchase	-	1,441	1,441	12	11,980	13,433
Revaluations and impairments recognised in other comprehensive income	70	-	70	-	-	70
Depreciation expense	-	(1,318)	(1,318)	(2,156)	-	(3,474)
Reclassification	-	14,540	14,540	1,355	(15,896)	-
Impairments and write-downs	-	(288)	(288)	(177)	-	(465)
Other movements [roundings]	-	-	-	-	-	-
<b>Net book value 30 June 2014</b>	<b>6,920</b>	<b>19,903</b>	<b>26,823</b>	<b>3,211</b>	<b>272</b>	<b>30,306</b>
Net book value as of 30 June 2014 represented by:						
Gross book value	6,920	20,920	27,840	5,304	272	33,416
Accumulated depreciation and impairment	-	(1,017)	(1,017)	(2,093)	-	(3,110)
	<b>6,920</b>	<b>19,903</b>	<b>26,823</b>	<b>3,211</b>	<b>272</b>	<b>30,306</b>

**Note 7C (Cont'd): Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2012-13)**

	Land \$'000	Buildings \$'000	Total land and buildings \$'000	Other property, plant & equipment \$'000	WIP	Total \$'000
As at 1 July 2012						
Accumulated depreciation and impairment	-	(3,364)	(3,364)	(5,241)	-	(8,605)
<b>Net book value 1 July 2013</b>	<b>6,830</b>	<b>6,627</b>	<b>13,457</b>	<b>5,603</b>	<b>1,536</b>	<b>20,596</b>
Additions						
By purchase	-	-	-	-	2,866	2,866
Revaluations and impairments recognised in other comprehensive income	20	(63)	(43)	418	-	375
Depreciation expense	-	(1,036)	(1,036)	(2,029)	-	(3,065)
Reclassifications	-	-	-	201	(214)	(13)
Write-down and impairment	-	(1)	(1)	(16)	-	(17)
<b>Net book value 30 June 2013</b>	<b>6,850</b>	<b>5,527</b>	<b>12,377</b>	<b>4,177</b>	<b>4,188</b>	<b>20,743</b>
Net book value as of 30 June 2013 represented by:						
Gross book value	6,850	5,528	12,378	4,177	4,188	20,743
Accumulated depreciation and impairment	-	-	-	-	-	-
	<b>6,850</b>	<b>5,528</b>	<b>12,378</b>	<b>4,177</b>	<b>4,187</b>	<b>20,743</b>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 7: Non-Financial Assets**

	2014	2013
	\$'000	\$'000
<b>Note 7D: Intangibles</b>		
<b>Computer software:</b>		
Internally developed – in progress	8,408	11,847
Internally developed – in use	38,729	28,089
Purchased	9,219	10,926
<b>Total computer software (gross)</b>	<b>56,356</b>	<b>50,862</b>
Accumulated amortisation	(28,186)	(26,275)
<b>Total computer software (net)</b>	<b>28,170</b>	<b>24,587</b>
<b>Total intangibles</b>	<b>28,170</b>	<b>24,587</b>

No indicators of impairment were found for intangible assets.

No intangibles are expected to be sold or disposed of within the next 12 months.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 7: Non-Financial Assets**

**Note 7E: Reconciliation of the Opening and Closing Balances of Intangibles (2013-14)**

	Computer software internally developed \$'000	WIP IT Projects \$'000	Computer software purchased \$'000	Total \$'000
As at 1 July 2013				
Gross book value	28,089	11,847	10,926	50,862
Accumulated amortisation and impairment	(17,865)	-	(8,410)	(26,275)
Net book value 1 July 2013	10,224	11,847	2,516	24,587
Additions				
Internally developed	-	8,763	-	8,763
Amortisation	(4,072)	-	(1,089)	(5,161)
Reclassifications	11,619	(12,203)	584	-
Impairments of assets	(17)	-	(2)	(19)
Net book value 30 June 2014	17,754	8,407	2,009	28,170
Net book value as of 30 June 2014 represented by:				
Gross book value	38,730	8,407	9,219	56,356
Accumulated amortisation and impairment	(20,976)	-	(7,210)	(28,186)
	17,754	8,407	2,009	28,170

**Note 7E (Cont'd): Reconciliation of the Opening and Closing Balances of Intangibles (2012-13)**

	Computer software internally developed \$'000	WIP IT Projects	Computer software purchased \$'000	Total \$'000
As at 1 July 2012				
Gross book value	18,627	13,450	10,180	42,257
Accumulated amortisation and impairment	(15,208)	-	(6,918)	(22,126)
Net book value 1 July 2012	3,419	13,450	3,262	20,131
Additions*				
Internally developed	-	8,766.74	-	8,767
Amortisation	(2,831)	-	(1,492)	(4,323)
Net book value 30 June 2013	10,223	11,847	2,517	24,587
Net book value as of 30 June 2013 represented by:				
Gross book value	28,089	11,847	10,926	50,862
Accumulated amortisation and impairment	(17,865)	-	(8,410)	(26,275)
	10,224	11,847	2,516	24,587

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 7: Non-Financial Assets**

	<b>2014</b>	2013
	<b>\$'000</b>	\$'000
<b>Note 7F: Other Non-Financial Assets</b>		
Prepaid expenses	<u>2,245</u>	<u>1,537</u>
<b>Total other non-financial assets</b>	<u>2,245</u>	<u>1,537</u>
No indicators of impairment were found for other non-financial assets.		
Total other non-financial assets - are expected to be recovered in:		
No more than 12 months	<u>2,245</u>	<u>1,537</u>
<b>Total other non-financial assets</b>	<u>2,245</u>	<u>1,537</u>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 8: Payables

	2014	2013
	\$'000	\$'000
<b>Note 8A: Suppliers</b>		
Trade creditors and accruals	3,209	2,954
Operating lease rentals	<u>1,450</u>	<u>820</u>
<b>Total supplier payables</b>	<u>4,659</u>	<u>3,774</u>
<b>Supplier payables expected to be settled within 12 months:</b>		
External parties	<u>3,209</u>	<u>2,956</u>
<b>Total</b>	<u>3,209</u>	<u>2,956</u>
<b>Supplier payables expected to be settled in greater than 12 months:</b>		
External parties	<u>1,450</u>	<u>818</u>
<b>Total</b>	<u>1,450</u>	<u>818</u>
<b>Total supplier payables</b>	<u>4,659</u>	<u>3,774</u>
Settlement is usually made within 30 days.		
<b>Note 8B: Other Payables</b>		
Salaries and wages	2,787	2,481
Superannuation	289	271
Separations and redundancies	1,586	1,239
Other	<u>11</u>	<u>10</u>
<b>Total other payables</b>	<u>4,673</u>	<u>4,001</u>
<b>Other payables are expected to be settled in:</b>		
No more than 12 months	<u>4,673</u>	<u>4,001</u>
<b>Total other payables</b>	<u>4,673</u>	<u>4,001</u>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 9: Provisions

	2014 \$'000	2013 \$'000
<b>Note 9A: Employee Provisions</b>		
Leave	17,610	19,098
<b>Total employee provisions</b>	<u>17,610</u>	<u>19,098</u>
<b>Employee provisions are expected to be settled in:</b>		
No more than 12 months	14,601	15,551
More than 12 months	3,009	3,547
<b>Total employee provisions</b>	<u>17,610</u>	<u>19,098</u>
<b>Note 9B: Other Provisions</b>		
Provision for restoration obligations	2,479	1,998
<b>Total other provisions</b>	<u>2,479</u>	<u>1,998</u>
<b>Other provisions are expected to be settled in:</b>		
More than 12 months	2,479	1,998
<b>Total other provisions</b>	<u>2,479</u>	<u>1,998</u>
<b>Reconciliation of the Other Provisions Account:</b>		
	<b>Provision for restoration \$'000</b>	<b>Total \$'000</b>
<b>Carrying amount 1 July 2013</b>	<u>1,998</u>	<u>1,998</u>
<b>Additional provisions made</b>	<u>481</u>	<u>481</u>
<b>Closing balance 30 June 2014</b>	<u>2,479</u>	<u>2,479</u>

As indicated on the Schedule of Commitments, the ACMA currently has 5 major agreements for the leasing of premises which have provisions requiring the ACMA to restore the premises to their original condition at the conclusion of the lease (2013: 5).

The ACMA revalues the restoration obligation each year using the market value of the obligation at reporting date.



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 10: Cash Flow Reconciliation**

	2014	2013
	\$'000	\$'000
<b>Reconciliation of cash and cash equivalents as per Balance Sheet to Cash Flow Statement</b>		
<b>Cash and cash equivalents as per:</b>		
Cash flow statement	3,496	1,034
Balance sheet	<u>3,496</u>	<u>1,034</u>
<b>Difference</b>	<u>-</u>	<u>-</u>
<b>Reconciliation of net cost of services to net cash from operating activities:</b>		
Net cost of services	(99,681)	(109,647)
Add revenue from Government	92,387	99,271
<b>Adjustments for non-cash items</b>		
Depreciation / amortisation	8,635	7,388
Net write down of non-financial assets	485	(7)
Loss (Gain) on disposal of assets	8	16
<b>Changes in assets / liabilities</b>		
(Increase) / decrease in net receivables	786	4,895
(Increase) / decrease in prepayments	( 708)	69
Increase / (decrease) in supplier payables	885	(2,134)
Increase / (decrease) in other payable	672	770
Increase / (decrease) in employee provisions	( 1,488)	312
Increase / (decrease) in other provisions	<u>481</u>	<u>68</u>
<b>Net cash used from operating activities</b>	<u>2,462</u>	<u>1,001</u>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 11: Contingent Assets and Liabilities**

	Indemnities		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
<b>Contingent assets</b>				
Balance from previous period	-	-	-	-
New	-	-	-	-
Re-measurement	-	-	-	-
Assets recognised	-	-	-	-
Expired	-	-	-	-
<b>Total contingent assets</b>	-	-	-	-
<b>Contingent liabilities</b>				
Balance from previous period	-	-	-	-
Australia New Zealand Banking Group	-	-	-	-
Re-measurement	-	-	-	-
Liabilities recognised	-	-	-	-
Obligations expired	-	-	-	-
<b>Total contingent liabilities</b>	-	-	-	-
<b>Net contingent assets</b>	-	-	-	-

**Quantifiable Contingencies**

The Schedule of Contingencies reports assets in respect of claims for damages for 2014 are \$nil (2013: \$nil)

**Unquantifiable Contingencies**

At 30 June 2014, the ACMA is involved in a number of legal proceedings, mostly of an administrative law nature, although some involved civil proceedings or prosecutions actioned by the ACMA. It is not possible to estimate the amounts of any eventual payments that may be required in relation to these claims.

**Significant Remote Contingencies**

The ACMA has no remote contingencies as at 30 June 2014 (2013: nil).

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 12: Senior Executive and Member's Remuneration****Note 12A: Senior Executive's Remuneration Expense for the Reporting Period**

	2014	2013
<b>Short-term employee benefits:</b>	<b>\$</b>	<b>\$</b>
Salary	4,324,393	4,262,481
Performance bonuses	237,401	209,550
Other Allowances	524,523	510,879
<b>Total short-term employee benefits</b>	<b>5,086,317</b>	<b>4,982,910</b>
<b>Post-employment benefits:</b>		
Superannuation	1,208,159	973,672
<b>Total post-employment benefits</b>	<b>1,208,159</b>	<b>973,672</b>
<b>Other long-term benefits:</b>		
Annual leave accrued	12,357	114,206
Long-service leave	99,565	140,724
<b>Total other long-term benefits</b>	<b>111,922</b>	<b>254,930</b>
<b>Termination benefits</b>		
Voluntary Redundancy payments	139,382	-
<b>Total</b>	<b>6,545,780</b>	<b>6,211,512</b>

**Notes:**

1. Note 12A was prepared on an accrual basis (so the performance bonus expenses disclosed above differ from the cash 'Bonus paid' in Note 12B).
2. Note 12A excludes acting arrangements and where remuneration expensed for a senior executive was less than \$195,000.
3. "Other" includes motor vehicles allowances and other allowances.

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Note 12B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives During the Reporting Period

Average annual reportable remuneration to substantive senior executives in 2014

Average annual reportable remuneration <sup>1</sup>	Substantive senior Executives No.	Reportable Salary <sup>2,6</sup> \$	Contributed superannuation <sup>3</sup> \$	Reportable allowances <sup>4</sup>	Bonus paid <sup>5</sup>	Total \$
Total remuneration (including part-time arrangements):						
Less than \$195,000	6	73,796	14,450	221	-	88,467
\$195,000 - \$224,999	3	169,119	35,199	-	4715	209,033
\$225,000 - \$284,999	10	202,289	50,009	-	16,702	269,010
\$285,000 - \$314,999	3	220,958	54,828	-	18,414	294,200
\$315,000 - \$344,999	4	241,903	66,386	423	16,272	324,984
\$405,000-\$434,999	1	346,685	67,967	-	-	414,652
\$495,000-\$524,999	1	492,359	17,775	2,184	-	512,318
<b>Total</b>	<b>28</b>					

Average annual reportable remuneration to substantive senior executives in 2013

Average annual reportable remuneration <sup>1</sup>	Substantive senior Executives No.	Reportable Salary <sup>2,6</sup> \$	Contributed superannuation <sup>3</sup> \$	Reportable allowances <sup>4</sup>	Bonus paid <sup>5</sup>	Total \$
Total remuneration (including part-time arrangements):						
Less than \$195,000	5	61,078	9,741	-	-	70,819
\$225,000 - \$254,999	7	196,735	37,196	-	16,670	250,601
\$255,000 - \$284,999	5	211,200	33,776	-	18,239	263,215
\$285,000 - \$314,999	5	241,118	42,214	85	14,869	298,286
\$315,000 - \$344,999	1	240,470	44,751	-	30,577	315,798
\$345,000-\$374,999	1	309,771	47,834	-	-	357,605
\$375,000-\$404,999	1	199,728	175,593	-	11,069	386,390
\$495,000-\$524,999	1	481,985	16,470	2,178	-	500,633
<b>Total</b>	<b>26</b>					

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 12B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives During the Reporting Period**

**Notes:**

1. This table reports substantive senior executives who received remuneration during the reporting period. Each row is an averaged figure based on headcount for individuals in the band.
2. 'Reportable salary' includes the following:
  - a) gross payments (less any bonuses paid, which are separated out and disclosed in the 'bonus paid' column);
  - b) reportable fringe benefits (at the net amount prior to 'grossing up' for tax purposes);
  - c) reportable employer superannuation contributions; and
  - d) exempt foreign employment income.
3. The 'contributed superannuation amount' is the average actual superannuation paid to substantive senior executives in that reportable remuneration band during the reporting period.
4. 'Reportable allowances' are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
5. 'Bonus paid' represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving the entity during the financial year.
6. Various salary sacrifice arrangements were available to senior executives including superannuation, motor vehicle and expense payment fringe benefits. Salary sacrifice benefits are reported in the 'reportable salary' column, excluding salary sacrificed superannuation, which is reported in the 'contributed superannuation' column.

**Note 12C: Other Highly Paid Staff**

During the reporting period, there were no employees whose salary plus performance bonus were \$195,000 or more.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 13: Remuneration of Auditors

	2014	2013
	\$'000	\$'000

Financial statement audit services were provided free of charge to the ACMA by the Australian National Audit Office (ANAO)

**Fair value of the services provided:**

Financial statement audit services <sup>(1)</sup>	82	84
Other non audit services <sup>(2)</sup>	-	72
<b>Total</b>	<b>82</b>	<b>156</b>

(1) The ACMA's auditor is the Australian National Audit Office who has contracted KPMG to assist with the assignment.

(2) These services are performed by ANAO auditors which includes the economic analysis of the programming requirements on Australian Broadcasters.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 14: Financial Instruments**

	2014	2013
	\$'000	\$'000
<b>Note 14A: Categories of Financial Instruments</b>		
<b>Financial Assets</b>		
<b>Loans and receivables:</b>		
Cash and cash equivalents	3,496	1,034
Trade receivables (net)	25	46
<b>Total</b>	<u>3,521</u>	<u>1,080</u>
<b>Carrying amount of financial assets</b>	<u>3,521</u>	<u>1,080</u>
<b>Financial Liabilities</b>		
<b>At amortised cost:</b>		
Trade creditors and accruals	3,209	2,954
<b>Total</b>	<u>3,209</u>	<u>2,954</u>
<b>Carrying amount of financial liabilities</b>	<u>3,209</u>	<u>2,954</u>

**Note 14B: Net Income and Expense from Financial Assets**

Trade receivables are short term and non interest bearing. There is no income or expense from these assets.

**Note 14C: Fair Value of Financial Instruments**

All financial assets and liabilities are short term trade receivables and payables the carrying amounts of which are reasonable approximation of fair value.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 14: Financial Instruments

#### Note 14D: Credit Risk

The ACMA is exposed to minimal credit risk as financial assets are cash and trade receivables. The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade receivables (2014: \$35,000 and 2013: \$46,000). The ACMA has assessed the risk of the default on payment and has allocated \$10,000 (2013: \$Nil) to an impairment allowance account.

The ACMA manages its credit risk by restricting the provision of goods and services on credit to pre-approved credit clients only. Credit limits granted to approved clients are re-assessed at least annually to ensure that the ACMA is not exposed to unacceptable credit risk.

The ACMA holds no collateral to mitigate against credit risk.

#### Credit quality of financial instruments not past due or individually determined as impaired

	Not past due nor impaired 2014 \$'000	Not past due nor impaired 2013 \$'000	Past due or impaired 2014 \$'000	Past due or impaired 2013 \$'000
<b>Financial Assets</b>				
Cash and cash equivalents	3,496	1,035	-	-
Trade receivables	11	43	24	3
<b>Total</b>	<b>3,507</b>	<b>1,078</b>	<b>24</b>	<b>3</b>

#### Ageing of financial assets that were past due but not impaired for 2014

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
<b>Financial Assets</b>					
Trade receivables	24	-	-	-	24
<b>Total</b>	<b>24</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24</b>

#### Ageing of financial assets that were past due but not impaired for 2013

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
<b>Financial Assets</b>					
Trade receivables	3	-	-	-	3
<b>Total</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 14: Financial Instruments****Note 14E: Liquidity Risk**

The ACMA's financial liabilities are Trade creditors and accruals. The exposure to liquidity risk is based on the notion that the ACMA will encounter difficulty in meeting its obligations associated with financial liabilities.

This is highly unlikely as the ACMA is appropriated funding from the Australian Government and the ACMA manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due. In addition, the ACMA has policies in place to ensure timely payment is made when due and has no past experience of default.

**Maturities for non-derivative financial liabilities 2014**

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
<b>Financial Liabilities</b>			
Trade creditors and accruals	3,209	-	3,209
<b>Total</b>	<b>3,209</b>	<b>-</b>	<b>3,209</b>

**Maturities for non-derivative financial liabilities 2013**

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
<b>Financial Liabilities</b>			
Trade creditors and accruals	2,954	-	2,954
<b>Total</b>	<b>2,954</b>	<b>-</b>	<b>2,954</b>

The ACMA has no derivative financial liabilities in both the current and prior financial year.

**Note 14F: Market Risk**

The ACMA holds basic financial instruments that do not expose the ACMA to certain market risks including currency risk, other price risk and interest rate risk.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 15: Financial Assets Reconciliation**

		2014	2013
		\$'000	\$'000
<b><u>Financial assets</u></b>	<b>Notes</b>		
<b>Total financial assets as per statement of financial position</b>		<b>21,093</b>	22,658
Less: non-financial instrument components:			
Appropriations receivable	6B	<b>16,964</b>	20,904
Other receivables	6B	<b>608</b>	674
Total non-financial instrument components		<b>17,572</b>	21,578
<b>Total financial assets as per financial instruments note</b>	14A	<b>3,521</b>	1,080

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 16: Administered - Expenses**

	2014	2013
	\$'000	\$'000
<b>EXPENSES</b>		
<b>Note 16A: Subsidies</b>		
Payable to external parties	-	145,274
<b>Total subsidies</b>	<u>-</u>	<u>145,274</u>
<b>Note 16B: Write-Down and Impairment of Assets</b>		
Asset write-downs and impairments from:		
Impairment on financial instruments	-	238
<b>Total write-down and impairment of assets</b>	<u>-</u>	<u>238</u>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 17: Administered - Income

	2014 \$'000	2013 \$'000
<b>OWN-SOURCE REVENUE</b>		
<b>Taxation Revenue</b>		
<b>Note 17A: Other Taxes</b>		
Broadcasting licence fees	157,188	167,386
Radiocommunications taxes	170,998	118,988
Telecommunication numbering charges	60,000	60,000
<b>Total other taxes</b>	<b>388,186</b>	<b>346,374</b>
<b>Non-Taxation Revenue</b>		
<b>Note 17B: Sale of Goods and Rendering of Services</b>		
Rendering of services – external parties	3,469	4,083
<b>Total sale of goods and rendering services</b>	<b>3,469</b>	<b>4,083</b>
<b>Note 17C: Fees and Fines</b>		
Licence fees (excluding broadcasting)	41,740	42,328
Fines and Penalties	1,147	559
<b>Total fees and fines</b>	<b>42,887</b>	<b>42,887</b>
<b>Note 17D: Other Revenue</b>		
Industry contributions	220,819	145,325
<b>Total other revenue</b>	<b>220,819</b>	<b>145,325</b>
<b>GAINS</b>		
<b>Note 17E: Sale of Assets</b>		
<b>Intangibles:</b>		
Proceeds from sale <sup>1</sup>	1,580	1,483,377
<b>Total net gain from sale of assets</b>	<b>1,580</b>	<b>1,483,377</b>
<b>Note 17F: Reversal of Previous Asset Write-Downs and Impairments</b>		
Reversal of impairment losses	42	-
<b>Total reversals of previous asset write-downs and impairments</b>	<b>42</b>	<b>-</b>
 (1) Included in 2012-13 was \$1.481b that the ACMA received for Tranche-1, 15 year spectrum licence reissue last financial year.		

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 18: Administered - Financial Assets**

	2014	2013
	\$'000	\$'000
<b>FINANCIAL ASSETS</b>		
<b>Note 18A: Cash and Cash Equivalents</b>		
Special accounts	-	89
Cash on hand or on deposit	500	67
<b>Total cash and cash equivalents</b>	<b>500</b>	<b>156</b>
<b>Note 18B: Taxation Receivables</b>		
Other taxes	167,130	174,378
<b>Total taxation receivables (gross)</b>	<b>167,130</b>	<b>174,378</b>
Less: impairment allowance account		
Other taxes	46	58
<b>Total taxation receivables (net)</b>	<b>167,084</b>	<b>174,320</b>
Receivables are expected to be recovered in:		
No more than 12 months	167,084	174,320
<b>Total trade and other receivables (net)</b>	<b>167,084</b>	<b>174,320</b>
Taxation receivables were aged as follows:		
Not overdue	164,923	173,744
Overdue by:		
0 to 30 days	-	89
31 to 60 days	2,150	487
61 to 90 days	11	-
More than 90 days	46	58
<b>Total taxation receivables (gross)</b>	<b>167,130</b>	<b>174,378</b>
The impairment allowance account is aged as follows:		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	46	58
<b>Total impairment allowance account</b>	<b>46</b>	<b>58</b>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 18: Administered - Financial Assets

	2014	2013
	\$'000	\$'000
<b>Note 18C: Receivables</b>		
<b>Goods and services:</b>		
Goods and services receivable - external parties	-	69
<b>Total receivables for goods and services</b>	<u>-</u>	<u>69</u>
<b>Other receivables:</b>		
Fees, charges and other revenues	38,480	39,062
<b>Total other receivables</b>	<u>38,480</u>	<u>39,062</u>
<b>Total receivables (gross)</b>	<u>38,480</u>	<u>39,131</u>
Less: impairment allowance account		
Other receivables	2	137
<b>Total receivables (net)</b>	<u>38,478</u>	<u>38,994</u>
Receivables are expected to be recovered in:		
No more than 12 months	38,478	38,994
<b>Total trade and other receivables (net)</b>	<u>38,478</u>	<u>38,994</u>
Receivables were aged as follows:		
Not overdue	50	1
Overdue by:		
0 to 30 days	38,381	38,958
31 to 60 days	42	47
61 to 90 days	5	25
More than 90 days	2	100
<b>Total receivables (gross)</b>	<u>38,480</u>	<u>39,131</u>
The impairment allowance account is aged as follows:		
Not overdue	-	37
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	2	100
<b>Total impairment allowance account</b>	<u>2</u>	<u>137</u>
Goods and services receivables are with entities external to the Australian Government. Credit terms granted to debtors vary dependant on legislation.		

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 18: Administered - Financial Assets**

**Reconciliation of the Impairment Allowance Account:**

**Movements in relation to 2014**

	Taxation receivables \$'000	Other receivables \$'000	Total \$'000
<b>Opening balance</b>	<b>58</b>	<b>137</b>	<b>195</b>
Amounts written off	(35)	(70)	(105)
Increase/(decrease) recognised in net surplus	23	(65)	(42)
<b>Closing balance</b>	<b>46</b>	<b>2</b>	<b>48</b>

**Movements in relation to 2013**

	Taxation receivables \$'000	Other receivables \$'000	Total \$'000
Opening balance	976	26,796	27,772
Amounts written off	(956)	(26,860)	(27,816)
Increase/(decrease) recognised in net surplus	38	201	239
Closing balance	58	137	195

**Note 18D: Other Financial Assets**

Accrued Revenues	<u>453</u>	<u>453</u>
<b>Total other financial assets</b>	<u><b>453</b></u>	<u><b>453</b></u>

Other financial assets are expected to be recovered in:

No more than 12 months		
More than 12 months	<u>453</u>	<u>453</u>
<b>Total other financial assets</b>	<u><b>453</b></u>	<u><b>453</b></u>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 19: Administered - Payables**

	2014	2013
	\$'000	\$'000
<b>Note 19A: Other Payables</b>		
Prepayments received/unearned income	276,432	60,702
Other	1,653	1,742
<b>Total other payables</b>	<b>278,085</b>	<b>62,444</b>
Other payables are expected to be settled in:		
No more than 12 months	278,085	62,444
<b>Total other payables</b>	<b>278,085</b>	<b>62,444</b>



**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 20: Administered - Cash Flow Reconciliation**

	2014 \$'000	2013 \$'000
<b>Reconciliation of cash and cash equivalents as per Administered Schedule of Assets and Liabilities to Administered Cash Flow Statement</b>		
<b>Cash and cash equivalents as per:</b>		
Schedule of administered cash flows	500	156
Schedule of administered assets and liabilities	500	156
<b>Difference</b>	<u>-</u>	<u>-</u>
<b>Reconciliation of net cost of services to net cash from operating activities:</b>		
Net cost of services	656,983	1,876,534
<b>Adjustments for non-cash items</b>		
Gain on sale of assets	(1,580)	(1,483,377)
<b>Changes in assets / liabilities</b>		
(Increase) / decrease in net receivables	7,752	33,327
(Increase) / decrease in other financial assets	-	(453)
Increase / (decrease) in subsidies payables	-	(83)
Increase / (decrease) in other payable	215,641	56,004
<b>Net cash from/(used by) operating activities</b>	<u>878,796</u>	<u>481,952</u>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 21: Administered - Contingent Assets and Liabilities**

**Quantifiable Assets and Liabilities**

The ACMA has no contingent assets nor liabilities as at 30 June 2014 (2013: nil)

**Unquantifiable Contingencies**

The ACMA has no unquantifiable contingencies as at 30 June 2014 (2013: nil).

**Significant Remote Contingencies**

The ACMA has no remote contingencies as at 30 June 2013 (2013: nil).

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 22: Administered - Financial Instruments**

	2014	2013
	\$'000	\$'000
<b>Note 22A: Categories of Financial Instruments</b>		
<b>Loans and receivables:</b>		
Cash and cash equivalents	500	156
Goods and services receivables	-	69
Fees, charges and other revenue receivables	<u>38,478</u>	<u>39,062</u>
<b>Total</b>	<u>38,978</u>	<u>39,287</u>
<b>Carrying amount of financial assets</b>	<u>38,978</u>	<u>39,150</u>

**Note 22B: Net Income and Expense from Financial Assets**

All loans and receivables are short term and non interest bearing. There is no income or expense from these assets (2013: nil)

**Note 22C: Net Income and Expense from Financial Liabilities**

All financial liabilities are short term and non interest bearing. There is no income or expense from financial liabilities (2013: nil)

**Note 22D: Fair Value of Financial Instruments**

All financial assets and liabilities are short term trade receivables and payables the carrying amounts of which are reasonable approximation of fair value.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 22: Administered - Financial Instruments

#### Note 22E: Credit Risk

The ACMA is exposed to minimal credit risk as loans and receivables are cash and trade receivables. The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade receivables (2014: \$38,480,000 and 2013: \$39,131,000). The ACMA has assessed the risk of the default on payment and has allocated \$48,000 in 2014 (2013: \$195,000) to an impairment allowance account.

The ACMA manages its credit risk by restricting the provision of goods and services on credit to pre-approved credit clients only. Credit limits granted to approved clients are re-assessed at least annually to ensure that the ACMA is not exposed to unacceptable credit risk.

The ACMA holds no collateral to mitigate against credit risk.

#### Credit quality of financial instruments not past due or individually determined as impaired

	Not past due nor impaired 2014 \$'000	Not past due nor impaired 2013 \$'000	Past due or impaired 2014 \$'000	Past due or impaired 2013 \$'000
Loans and receivables				
Cash and cash equivalents	500	156	-	-
Other receivables	50	1	38,430	39,130
<b>Total</b>	<b>550</b>	<b>157</b>	<b>38,430</b>	<b>39,130</b>

#### Ageing of financial assets that were past due but not impaired for 2014

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Other receivables	38,381	42	5	2	38,430
<b>Total</b>	<b>38,381</b>	<b>42</b>	<b>5</b>	<b>2</b>	<b>38,430</b>

#### Ageing of financial assets that were past due but not impaired for 2013

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Other receivables	38,958	47	25	-	39,030
<b>Total</b>	<b>38,958</b>	<b>47</b>	<b>25</b>	<b>-</b>	<b>39,030</b>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 22: Administered - Financial Instruments

#### Note 22F: Liquidity Risk

The ACMA's financial liabilities are predominately revenue in advance. The exposure to liquidity risk is based on the notion that the ACMA will encounter difficulty in meeting its obligations associated with financial liabilities.

This is highly unlikely as the ACMA has received funds and remitted to the Central Revenue Fund (CRF). In addition, the ACMA has policies in place to ensure timely payments are made when due and has no past experience of default.

The ACMA has no derivative financial liabilities in either the current or prior financial year.

#### Note 22G: Market Risk

The ACMA holds basic financial instruments that are non-interest bearing and have no exposure to market risks.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 23: Administered - Financial Assets Reconciliation**

	2014	2013
	\$'000	\$'000
<b>Financial assets</b>		
	<b>Notes</b>	
<b>Total financial assets as per schedule of administered assets and liabilities</b>	<b>206,515</b>	213,923
Less: non-financial instrument components		
Taxation receivables	<b>167,084</b>	174,320
Other financial assets	<b>453</b>	453
Total non-financial instrument components	<b>167,537</b>	174,773
<b>Total financial assets as per financial instruments note</b>	<u>22A</u> <b>38,978</b>	<u>39,150</u>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 24: Appropriations**

**Table A: Annual Appropriations (Recoverable GST exclusive)**

	2014 Appropriations				Total appropriations \$'000	Appropriation applied in 2014 (current and prior years) \$'000	Variance \$'000
	Appropriation Act		FMA Act				
	Annual Appropriation \$'000	Appropriations reduced <sup>(1)</sup> \$'000	Section 31	Section 31			
<b>DEPARTMENTAL</b>							
Ordinary annual services	105,507	-	1,573	1,573	107,080	(115,229)	(8,149)
Appropriation Act (No. 1) 2012-2013 as passed	92,387	-	1,573	1,573		(94,686)	
Appropriation Act (No. 1) Capital Budget 2012-2013 as passed	13,120	-				(20,563)	
Other services							
Equity	5,841	-			5,841	(1,630)	4,211
<b>Total departmental</b>	<b>111,348</b>	<b>-</b>	<b>1,573</b>	<b>1,573</b>	<b>112,921</b>	<b>(116,859)</b>	<b>(3,938)</b>

**Notes:**

(1) Appropriations reduced under Appropriations Acts (Nos 1, 3 & 5) 2013-14; section 10, 11 and 12 and under Appropriation Acts (Nos 2, 4 & 6) 2012-13; sections 12, 13, 14. Departmental appropriations do not lapse at financial year end. The reduction in the appropriation is effected by the Finance Minister's determination and is disallowable by Parliament. The Finance Minister determined no reduction in departmental appropriation in 2013-14.

(2) The overspend of \$3.938m ordinary appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.

	2013 Appropriations			Total appropriations \$'000	Appropriation applied in 2013 (current and prior years) \$'000	Variance \$'000
	Appropriation Act		FMA Act			
	Annual Appropriation \$'000	Appropriations reduced <sup>(1)</sup> \$'000	Section 31			
<b>DEPARTMENTAL</b>						
Ordinary annual services	107,087	-	2,257	109,344	(115,839)	(6,495)
Other services						
Equity	350	-		350	(350)	-
<b>Total departmental</b>	<b>107,437</b>	<b>-</b>	<b>2,257</b>	<b>109,694</b>	<b>(116,189)</b>	<b>(6,495)</b>

**Notes:**

(1) Departmental appropriations do not lapse at financial year-end, prior year appropriations are utilised before the current year's appropriations.

(2) The overspend of \$6.495m ordinary appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 24: Appropriations**

**Table B: Departmental Capital Budgets (Recoverable GST exclusive)**

	2014 Capital Budget Appropriations		Capital Budget Appropriations applied in 2014 (current and prior years)		Variance <sup>3</sup> \$'000
	Appropriation Act Annual Capital Budget \$'000	Total Capital Budget Appropriations \$'000	Payments for non-financial assets <sup>2</sup> \$'000	Total payments \$'000	
<b>DEPARTMENTAL</b> Ordinary annual services - Departmental Capital Budget <sup>1</sup>	13,120	13,120	(20,563)	(20,563)	(7,443)

**Notes:**

1. Departmental Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised, costs incurred to make good an asset to its original condition, and the capital repayment component of finance leases.
3. The overspend of \$7.44m DCB appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.

	2013 Capital Budget Appropriations		Capital Budget Appropriations applied in 2013 (current and prior years)		Variance <sup>3</sup> \$'000
	Appropriation Act Annual Capital Budget \$'000	Total Capital Budget Appropriations \$'000	Payments for non-financial assets <sup>2</sup> \$'000	Total payments \$'000	
<b>DEPARTMENTAL</b> Ordinary annual services - Departmental Capital Budget <sup>1</sup>	7,816	7,816	(11,283)	(11,283)	(3,467)

**Notes:**

1. Departmental Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised, costs incurred to make good an asset to its original condition, and the capital repayment component of finance leases.
3. The overspend of \$3.46m DCB appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.



AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Note 24: Appropriations

Table C.: Unspent Departmental Appropriations (Recoverable GST exclusive)

Authority	2014 \$'000	2013 \$'000
<i>Appropriation Act (No. 1) 2010-2011 as passed</i>	-	9,491
<i>Appropriation Act (No. 1) 2012-2013 as passed</i>	-	3,607
<i>Appropriation Act (No. 1) 2013-2014 as passed</i>	12,390	-
<i>Appropriation Act (No. 1) 2012-2013 as passed - Capital Budget</i>	-	7,806
<i>Appropriation Act (No. 1) 2013-2014 as passed - Capital Budget</i>	363	-
<i>Appropriation Act (No. 2) 2013-2014 as passed Non operating (Equity)</i>	4,211	-
<b>Total</b>	<b>16,964</b>	<b>20,904</b>

Table D.: Special Appropriations (Recoverable GST exclusive)

Authority	Type	Appropriation applied 2014	2013
<i>Financial Management and Accountability Act 1997 s28, Administered</i>	Refund	\$'000	\$'000
<i>Telecommunications Act 1997 - s136C(4)</i>	Limited amount	2,335	198,651
<b>Total</b>		<b>2,335</b>	<b>199,004</b>

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 25: Special Accounts

Section 83 of the Constitution provides that no amount may be paid out of the Consolidated Revenue Fund except under an appropriation made by law. The Department of Finance and Deregulation provided information to all agencies in 2011 regarding the need for risk assessments in relation to compliance with statutory conditions on payments from special appropriations, including special accounts.

During 2013-14 additional legal advice was received that indicated that there may be breaches of Section 83 of the Constitution under certain circumstances concerning the payment of long service leave, goods and services tax and payments under determinations of the Remuneration Tribunal.

The initial review in respect to all appropriations with statutory conditions was completed in 2012 has determined that there is a low risk of certain circumstances listed in the legal advice applying to the ACMA. This review identified no issues of non-compliance with Section 83 of the Constitution.

The ACMA has maintained its processes and controls over these payments under review to minimise the possibility of future breaches. As at reporting date, the ACMA has determined that there is a low risk of non-compliance with Section 83 of the Constitution in respect to these legal advice.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 25: Special Accounts

#### Note 25A: Special Accounts (Recoverable GST exclusive)

	Universal Service Account (USO) <sup>1</sup>		National Relay Service (NRS) <sup>2</sup>		Services for Other Entities and Trust Moneys <sup>3</sup>	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
<b>Balance brought forward from previous period</b>	<b>19</b>	64	-	-	<b>70</b>	255
<b>Increases:</b>						
Appropriation credited to special account	-	5,301	-	19	-	-
Other receipts	-	58,642	-	197	-	117
Other receipts [Show each major class]	-	-	-	-	-	-
<b>Total increases</b>	-	63,943	-	216	-	117
<b>Available for payments</b>	<b>19</b>	64,007	-	216	<b>70</b>	372
<b>Decreases:</b>						
Payments made [Show each major class]	-	-	-	-	-	-
Investments made from the special account (FMA Act section 39)	-	-	-	-	-	-
Payments made to suppliers	-	(63,988)	-	(216)	<b>(70)</b>	(302)
Balance transferred to CRF	<b>(19)</b>	-	-	-	-	(255)
<b>Total decrease</b>	<b>(19)</b>	(63,988)	-	(216)	<b>(70)</b>	(302)
<b>Total balance carried to the next period</b>	-	19	-	-	-	70

1. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Telecommunications (Consumer Protection and Service Stds) Act 1999, Division 14, Section 21(2).

Purpose: The above account was used for the collection of USO levy from telecommunications providers and making payments to the USO provider. A new agency was created in 2012, the Telecommunications Universal Service Management Agency (TUSMA). The agency assumed some of the functions, the ACMA will continue to collect levies on behalf of TUSMA and remit them to the Official Public Account. The ACMA has now transferred prior year balance to the OPA and this special account will not longer in operation in 2015.

2. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Telecommunications (Consumer Protection and Service Stds) Act 1999, Division 14, Section 102(2).

Purpose: The above account was used for the collection of the NRS Levy from telecommunications providers and making payments to the NRS providers. A new agency was created in 2012, the Telecommunications Universal Service Management Agency (TUSMA). The agency assumed some of the functions, the ACMA will continue to collect levies on behalf of TUSMA and remit them to the Official Public Account. This Special account is no longer in operation.

3. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Financial Management Act 1962; s600

Purpose: Monies held on trust for or for the benefit of a person other than the Commonwealth.

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 26: Reporting of Outcome

#### Note 26A: Net Cost of Outcome Delivery

	Outcome 1	
	2014	2013
	\$'000	\$'000
<b>Departmental</b>		
Expenses	(102,527)	(111,252)
Own-source income	2,846	1,605
<b>Administered</b>		
Expenses	-	(145,512)
Own-source income	656,941	2,022,046
<b>Net contribution to outcome delivery</b>	<b>557,260</b>	<b>1,766,887</b>

#### Note 26B: Major Classes of Departmental Expense, Income, Assets and Liabilities by Outcome

	Outcome 1	
	2014	2013
	\$'000	\$'000
<b>Expenses</b>		
Employee Benefits	65,263	71,467
Suppliers	28,136	32,388
Depreciation and amortisation	8,635	7,388
Write-down and impairments of assets	493	9
<b>Total</b>	<b>102,527</b>	<b>111,252</b>
<b>Income</b>		
Revenue from government	92,387	99,271
Sale of goods and rendering services	271	301
Other Revenue	2,493	1,220
Other gains	82	84
<b>Total</b>	<b>95,233</b>	<b>100,876</b>
<b>Assets</b>		
Cash and cash equivalents	3,496	1,034
Trade and other receivables	17,597	21,624
Land and buildings	26,823	12,378
Infrastructure, plant and equipment	3,483	8,365
Intangibles	28,170	24,587
Other non-financial assets	2,245	1,537
<b>Total</b>	<b>81,814</b>	<b>69,525</b>
<b>Liabilities</b>		
Suppliers	4,659	3,774
Other payables	4,673	4,001
Employee provisions	17,610	19,098
Other provisions	2,479	1,998
<b>Total</b>	<b>29,421</b>	<b>28,871</b>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Note 26: Reporting of Outcome**

**Note 26C: Major Classes of Administered Expenses, Income, Assets and Liabilities by Outcome**

	Outcome 1	
	2014	2013
	\$'000	\$'000
<b>Expenses</b>		
Subsidies	-	145,274
Write-down and impairments of assets	-	238
<b>Total</b>	-	145,512
<b>Income</b>		
Other Taxes	388,186	346,374
Sale of goods and rendering services	3,469	4,083
Fees and fines	42,887	42,887
Other non-taxation revenue	220,819	145,325
Sale of assets	1,580	1,483,377
<b>Total</b>	656,941	2,022,046
<b>Assets</b>		
Cash and cash equivalents	500	156
Taxation receivables	167,084	174,320
Receivables	38,478	38,994
<b>Total</b>	206,062	213,470
<b>Liabilities</b>		
Other payables	278,085	62,444
<b>Total</b>	278,085	62,444

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### Note 27: Competitive Neutrality and Cost Recovery

	2014 \$'000	2013 \$'000
<b>Note 27A: Cost Recovery Summary</b>		
<b>Amount applied</b>		
Departmental		
Annual appropriations	26,388	25,434
Special appropriations (including special account)	-	-
Owned source revenue	400	298
Administered		
Annual appropriations		
Special appropriations (including special account)	300	300
<b>Total amounts applied</b>	<b>27,088</b>	<b>26,032</b>
<b>Expenses</b>		
Departmental	23,272	22,224
Administered	3,516	3,829
<b>Total expenses</b>	<b>26,788</b>	<b>26,053</b>
<b>Revenue</b>		
Departmental	400	298
Administered	45,505	46,035
<b>Total revenue</b>	<b>45,905</b>	<b>46,333</b>
<b>Receivables</b>		
Not overdue	24	47
Overdue by		
0 to 30 days	16	-
31 to 60 days	-	-
61 to 90 days	-	7
More than 90 days	-	-
Not overdue	38,308	38,880
Overdue by		
0 to 30 days	10	40
31 to 60 days	4	26
61 to 90 days	-	114
More than 90 days	2	-
<b>Total receivables</b>	<b>38,364</b>	<b>39,114</b>
<b>Amounts written off</b>		
Departmental		
Administered	78	500
<b>Total amounts written off</b>	<b>78</b>	<b>500</b>

#### Cost recovered activities:

- Regulatory activities in accordance with the *Telecommunications (Carrier Licence Charges) Act 1997* - The charges (Annual Carrier Licence Charges) for these activities are based on the cost of services provided by the ACMA, ACCC and the Department of Communications. The ACMA is responsible for invoicing and collecting the charges from the telecommunications carriers on behalf of other participating government organisations. Further information can be accessed from the ACMA's Cost Recovery Impact Statement 2013-14 which is available at: <http://www.acma.gov.au/theACMA/About/Corporate/Accountability/cost-recovery-impact-statements-acma>

- Investigation of complaints activities performed by the Postal Industry Ombudsman (PIO) – The ACMA is responsible for invoicing and collecting the charges on behalf of the PIO. Details are available at : <http://www.pio.gov.au>

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY****Note 28: Net Cash Appropriation Arrangements**

	<b>2014</b>	2013
	<b>\$'000</b>	\$'000
<b>Total comprehensive income less depreciation/amortisation expenses previously funded through revenue appropriations<sup>1</sup></b>	<b>1,411</b>	(2,617)
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	<u>(8,635)</u>	<u>(7,388)</u>
<b>Total comprehensive income/(loss) - as per the Statement of Comprehensive Income</b>	<b><u>(7,224)</u></b>	<b><u>(10,005)</u></b>

1. From 2010-11, the Government introduced net cash appropriation arrangements, where revenue appropriations for depreciation/amortisation expenses ceased. Entities now receive a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

# Glossary

<b>3G</b>	<b>Third generation mobile telecommunications</b> Mobile telecommunications systems that can provide global mobile communications and support multimedia applications.
<b>3.5G/4G</b>	Enhancements to mobile telecommunications systems that increase the usable data rate to allow the delivery of data-intensive applications such as high-resolution video.
<b>ABA</b>	<b>Australian Broadcasting Authority</b> Former Commonwealth regulatory authority responsible for broadcasting.
<b>ABC</b>	<b>Australian Broadcasting Corporation</b> Free-to-air national broadcaster of ABC radio and television channels, as well as the internet services ABC Online, ABC Broadband and DIG internet radio. The ABC is funded by the Australian Government.
<b>ABS</b>	<b>Australian Bureau of Statistics</b> Australia's official statistical organisation serving government, business and the general population.
<b>ACA</b>	<b>Australian Communications Authority</b> Former Commonwealth regulatory authority responsible for radiocommunications and telecommunications.
<b>ACCC</b>	<b>Australian Competition and Consumer Commission</b> Commonwealth regulatory body with responsibilities derived from the <i>Trade Practices Act 1974</i> .
<b>ACE</b>	<b>Australian Communication Exchange</b> Current National Relay Service provider and emergency call person for the text-based emergency call service.
<b>ACMA</b>	<b>Australian Communications and Media Authority</b> Commonwealth regulatory authority for broadcasting, online content, radiocommunications and telecommunications, with responsibilities under the <i>Broadcasting Services Act 1992</i> , the <i>Radiocommunications Act 1992</i> , the <i>Telecommunications Act 1997</i> and related Acts. Established on 1 July 2005 following a merger of the Australian Communications Authority and the Australian Broadcasting Authority.
<b>ADSL2+</b>	Version of ADSL that uses double the bandwidth for downstream data transmission, effectively doubling maximum downstream data rates.
<b>AISI</b>	<b>Australian Internet Security Initiative</b> An initiative developed by the ACMA that provides daily reports to Australian ISPs identifying recent instances of 'compromised' (infected) IP addresses on their networks.
<b>ANAO</b>	<b>Australian National Audit Office</b> Office responsible for financial and performance audits of Commonwealth departments and authorities.
<b>ANC</b>	<b>annual numbering charge</b>
<b>ARPANSA</b>	<b>Australian Radiation Protection and Nuclear Safety Agency</b> Commonwealth regulatory and research agency responsible for protecting people and the environment from the harmful effects of ionising and non-ionising radiation.
<b>Associated Newspaper Register</b>	A public register of newspapers 'associated' with commercial radio or commercial television broadcasting licence areas.
<b>ASTRA</b>	<b>Australian Subscription Television and Radio Association</b> Industry body for subscription television, radio broadcasters and narrowcasters, responsible for developing and reviewing industry codes of practice, in consultation with the ACMA.



<b>bandwidth</b>	In the internet industry, bandwidth refers to the capacity of a connection to carry information; in radiocommunications, it is the amount of radiofrequency spectrum used for a particular function.
<b>broadband</b>	Describes a class of internet access technologies, such as ADSL, HFC cable and Wi-Fi, offering a data rate significantly higher than narrowband services. These services are usually 'always on' and do not tie up a telephone line exclusively for data.
<b>BSB</b>	<b>broadcasting services bands</b> Parts of the radiofrequency spectrum dedicated to broadcasting services.
<b>carrier</b>	The holder of a telecommunications carrier licence in force under the <i>Telecommunications Act 1997</i> .
<b>CCF</b>	<b>Consumer Consultative Forum</b> Assists the ACMA to perform its consumer-related functions.
<b>CDMA</b>	<b>code division multiple access</b> Digital coding technique used primarily for mobile telecommunications and satellite services, employing a bandwidth much larger than the original signal. Each signal is uniquely encoded and decoded, allowing many signals to occupy the same spectrum.
<b>Communications Alliance</b>	Australia's peak communications industry organisation that promotes the growth of the Australian communications industry and the protection of consumer interests.
<b>coverage area</b>	Geographic area in which calls are able to be made successfully. For instance, the area between a base station and a mobile phone handset.
<b>CPRs</b>	<b>cabling provider rules</b> Rules to support telecommunications cabling industry self-regulation.
<b>CSER</b>	<b>Communications Security and Enforcement Roundtable</b> A forum that deals with communications, law enforcement, regulatory and operational matters. CSER replaced the Law Enforcement Advisory Committee (LEAC).
<b>CSG</b>	<b>Customer Service Guarantee</b> Standard covering provision of the standard telephone service that provides for financial compensation to customers if the requirements in the standard are not met. The new CSG Standard came into effect from 30 June 2000, replacing the original 1998 standard, and was amended in 2004.
<b>CSP</b>	<b>carriage service provider</b> Person supplying or proposing to supply services to the public using carrier networks.
<b>CTS</b>	<b>Children's Television Standards</b> Standards designed to provide access for children (aged <14 years) to quality television programs made specifically for them. The standards regulate timing and scheduling of children's programs and content of adjacent programming.
<b>DAB</b>	<b>Digital Audio Broadcasting</b> A digital radio technology for broadcasting radio stations.
<b>datacasting</b>	A service that delivers content in the form of text, data, speech, music or other sounds, visual images, or any other form or combinations of forms, where delivery uses the BSB.
<b>DNCR</b>	<b>Do Not Call Register</b> An Australian Government program administered by the ACMA to allow Australian numbers to be registered to opt out of receiving most unsolicited marketing calls or faxes (with limited exemptions for public interest organisations).
<b>DoC</b>	<b>Department of Communications</b> Federal government department developing and delivering communications policy and programs.
<b>ECSAC</b>	<b>Emergency Call Service Advisory Committee</b> Formerly the Emergency Services Advisory Committee. Advises on emergency services matters.
<b>EMC</b>	<b>electromagnetic compatibility</b> Ability of an electrical or electronic device or system to function satisfactorily without causing electromagnetic interference to other devices.
<b>EME</b>	<b>electromagnetic energy</b> Energy of electric and magnetic field components of a radio wave.
<b>ENUM</b>	<b>Electronic NUMbering</b> A protocol that translates numbers into a format that can be recognised by the internet system, and enables the linking of telephone numbers or internet addresses with communications services such as email, facsimile transmission and mobile telephony.
<b>ESNA</b>	<b>e-security National Agenda</b> Established by the Australian Government to strengthen the electronic operating environment for business, home users and government agencies.

<b>ESO</b>	<b>emergency service organisation</b> Organisation providing an emergency service, such as police, ambulance or fire brigade.
<b>fixed-line telephone service</b>	A term used to describe the delivery of voice services over the PSTN network. Does not typically refer to VoIP phone services.
<b>FLRN</b>	<b>freephone and local rate number</b> Telephone numbers commencing with the digits 180 (freephone) and 13 (local rate).
<b>FOI Act</b>	<b>Freedom of Information Act 1982</b> Legislation dealing with access by the general public to information gathered and held by Commonwealth agencies.
<b>Free TV Australia</b>	Industry body responsible for developing and reviewing the Commercial Television Industry Code of Practice.
<b>GHz</b>	<b>gigahertz</b> One billion Hertz (where one Hertz is the measurement of frequency equal to one cycle of electromagnetic radiation per second).
<b>GSM</b>	<b>global system for mobile communications</b> The widely used European digital cellular network standard.
<b>HDTV</b>	<b>high definition television</b> A digital television broadcasting system with higher resolution than traditional television systems.
<b>HF</b>	<b>high frequency</b> Radiofrequency spectrum in the 3–30 MHz frequency range.
<b>IAP</b>	<b>Internet Assistance Program</b>
<b>ICT</b>	<b>Information and Communication Technology</b>
<b>INHOPE</b>	<b>International Association of Internet Hotlines</b> Deals with complaints about illegal internet content, mainly child pornography.
<b>INMS</b>	<b>Industry Number Management Services Ltd</b> Company established by carriers and carriage service providers to manage and allocate portable freephone and local-rate numbers from a pool, under delegation from the ACMA.
<b>interception</b>	The interception of telecommunications services for the purpose of law enforcement and national security.
<b>IP</b>	<b>internet protocol</b> The key member of the suite of internet protocols at the logical layer, specifying packet addressing and routing of data through the internet.
<b>IPND</b>	<b>Integrated Public Number Database</b> Database of information about customers of telecommunications services in Australia, arranged by number, for all carriers and carriage service providers.
<b>IPTV</b>	<b>internet protocol television</b> Television system whereby digital content is delivered via a network infrastructure, often in conjunction with video-on-demand and other non-television services such as VoIP and other internet services.
<b>ISP</b>	<b>internet service provider</b> Service provider offering internet access.
<b>ITU</b>	<b>International Telecommunication Union</b> United Nations agency that coordinates international telecommunications matters.
<b>ITU-R</b>	<b>ITU—Radiocommunication Sector</b> ITU body dealing with international radiocommunications matters.
<b>kbit/s</b>	<b>kilobits per second</b> Data communication rate of one thousand bits per second.
<b>kHz</b>	<b>kilohertz</b> One thousand Hertz (see also <b>GHz</b> ).
<b>LAP</b>	<b>licence area plan</b> A legislative instrument setting out the licence area and the technical specifications for existing and proposed services.
<b>LEAC</b>	<b>Law Enforcement Advisory Committee</b> Committee that advises on communications law enforcement matters. LEAC was replaced by CSER in 2008–09.
<b>LIPD</b>	<b>low interference potential devices</b>

<b>low-impact facilities</b>	Communications facilities that are considered to have a low impact on their environment. They include underground cabling, small radiocommunications antennas and dishes, in-building subscriber connections and public payphones. The <i>Telecommunications Act 1997</i> provides carriers with immunity from state and territory planning laws for the installation of 'low-impact' facilities.
<b>LPON</b>	<b>low power open narrowcasting</b> Radiocommunications class licence type authorising radio services operating at very low power outputs in the frequency range 87.5–88.0 MHz.
<b>MHz</b>	<b>Megahertz</b> One million Hertz (see also <b>GHz</b> ).
<b>the minister</b>	<b>Minister for Communications</b> Minister responsible for the ACMA and its governing legislation.
<b>MMS</b>	<b>multimedia messaging service</b> Mobile telecommunications data transmission service for sending messages with a combination of text, sound, image and video to MMS-capable handsets.
<b>MNP</b>	<b>mobile number portability</b> Portability for mobile phone numbers. See <b>number portability</b> .
<b>NAC</b>	<b>Numbering Advisory Committee</b> Committee established to advise on numbering matters.
<b>narrowband</b>	A class of telecommunications services such as dial-up internet access that offer data rates of 64 kbit/s or lower.
<b>NATA</b>	<b>National Association of Testing Authorities</b> Australia's national laboratory accreditation authority that recognises and promotes facilities competent in specific types of testing, measurement, inspection and calibration.
<b>NGN</b>	<b>next generation network</b> General term for developments in network architecture using various access and core technologies covering wired, wireless and mobile communications. A primary characteristic is the decoupling of services and networks, allowing these to be offered separately and to evolve independently.
<b>NRF</b>	<b>Network Reliability Framework</b> Requirement on Telstra from January 2003 to provide regular reports to the ACMA on the reliability of its fixed-line services, and to remediate the network in areas with particularly poor performance.
<b>NRS</b>	<b>National Relay Service</b> Translation service between voice and non-voice telephone users providing access to the standard telephone service for people with communication impairment. Relays voice, modem or telephone typewriter communications.
<b>number portability</b>	Arrangements allowing customers to transfer from one telecommunications service provider to another without changing their number.
<b>payphone</b>	Public telephone where calls may be paid for with coins, phone cards, credit cards or reverse charge facilities.
<b>portability</b>	See <b>number portability</b> .
<b>pre-selection</b>	Offers customers choice and supports competition by enabling competing operators to use the networks of other carriers to access their customers.
<b>priority assistance</b>	Service for people with a diagnosed life-threatening medical condition entitling them to faster connection and fault repair of their fixed-line telephone service.
<b>RCC</b>	<b>Radiocommunications Consultative Committee</b> Formed to facilitate consultation between the ACMA and industry on major domestic and international radiocommunications issues.
<b>RCMG</b>	<b>Register of Controlled Media Groups</b> Lists the media groups in each licence area, the media operations that form part of a group and the controllers of those operations.
<b>SBS</b>	<b>Special Broadcasting Service</b> Free-to-air national radio and television broadcasting service providing multilingual and multicultural programs that inform, educate and entertain all Australians and, in doing so, reflect Australia's multicultural society. The SBS Online service also provides additional multilingual content through the internet.
<b>SDTV</b>	<b>standard definition television</b>

<b>SID</b>	<b>Spam Intelligence Database</b> Designed and built in-house, SID is the ACMA's high-performance spam analysis system, capable of processing hundreds of thousands of spam email messages per day. SID analyses all components of an email and stores the data in such a way that it can be easily searched, categorised and linked to data from other emails with similar characteristics.
<b>SMP</b>	<b>standard marketing plan</b> Approved plan by the universal service provider of how it will meet the USO.
<b>SMS</b>	<b>short message service</b> Mobile telecommunications data transmission service that allows users to send short text messages to each other using the mobile handset keypad.
<b>spam</b>	Unsolicited commercial electronic messages sent to email, mobile phone and instant messaging accounts.
<b>smartnumbers®</b>	Specified freephone (1800) or local-rate (13 or 1300) numbers allocated by auction that are considered desirable because they can be translated to a phoneword or have a memorable pattern.
<b>subscription television</b>	Service providing access, for a fee, to television channels transmitted using cable, satellite or terrestrial microwave.
<b>TAG</b>	<b>Technical Advisory Group</b> Provides policy advice and recommendations to the ACMA about strategic directions in the technical regulation of communications in Australia.
<b>TCBL</b>	<b>temporary community broadcasting licence</b>
<b>three-way control</b>	An unacceptable three-way control situation exists in relation to the licence area of a commercial radio broadcasting licence (the first radio licence area) if a person is in a position to exercise control of a commercial television broadcasting licence, where more than 50 per cent of the licence area population of the first radio licence area is attributable to the licence area of the commercial television broadcasting licence; and a commercial radio broadcasting licence, where the licence area of the commercial radio broadcasting licence is, or is the same as, the first radio licence area; and a newspaper that is associated with the first radio licence area.
<b>TIO</b>	<b>Telecommunications Industry Ombudsman</b> Industry-funded independent dispute resolution service for consumers who are unable to resolve individual complaints with their carriers and carriage service providers.
<b>trigger event</b>	A trigger event relates to commercial regional radio licences and includes a transfer of a licence; or formation of a new registrable media group which includes a regional commercial radio broadcasting licence; or change of controller of a registrable media group which includes a regional commercial radio broadcasting licence.
<b>TS</b>	<b>technical standard</b> Standard for communications customer equipment or networks.
<b>TSAG</b>	<b>Telecommunications Standardization Advisory Group</b>
<b>TTY</b>	<b>teletypewriter</b> Telephone typewriter where the caller types the communication after the call is connected, enabling people with a communication impairment to use the standard telephone service.
<b>TWG</b>	<b>Technical Working Group</b>
<b>UHF</b>	<b>ultra high frequency</b> Part of the radiofrequency spectrum between 300 and 3,000 MHz.
<b>USO</b>	<b>universal service obligation</b> Obligation under the <i>Telecommunications Act 1997</i> to ensure that standard telephone, payphone and prescribed carriage services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.
<b>VHF</b>	<b>very high frequency</b> Portion of the radiofrequency spectrum between 30 and 300 MHz.
<b>VoIP</b>	<b>voice over internet protocol</b> A protocol for transmitting voice over packet-switched data networks. Also called IP telephony.
<b>WAS</b>	<b>wireless access services</b> The wireless connection of business and households to the internet and the phone system.
<b>WiMAX</b>	<b>Worldwide Interoperability for Microwave Access</b> Industry group organised to advance the IEEE 802.16 standards for broadband wireless access networks for multimedia applications with a wireless connection.
<b>WRC</b>	<b>World Radiocommunication Conference</b> ITU conference held every three or four years to review and amend international radio regulations.

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**Canberra**

Red Building  
Benjamin Offices  
Chan Street  
Belconnen ACT

PO Box 78  
Belconnen ACT 2616

T +61 2 6219 5555  
F +61 2 6219 5353

**Melbourne**

Level 32  
Melbourne Central Tower  
360 Elizabeth Street  
Melbourne VIC

PO Box 13112  
Law Courts  
Melbourne VIC 8010

T +61 3 9963 6800  
F +61 3 9963 6899

**Sydney**

Level 5  
The Bay Centre  
65 Pirrama Road  
Pyrmont NSW

PO Box Q500  
Queen Victoria Building  
NSW 1230

T +61 2 9334 7700  
1800 226 667  
F +61 2 9334 7799