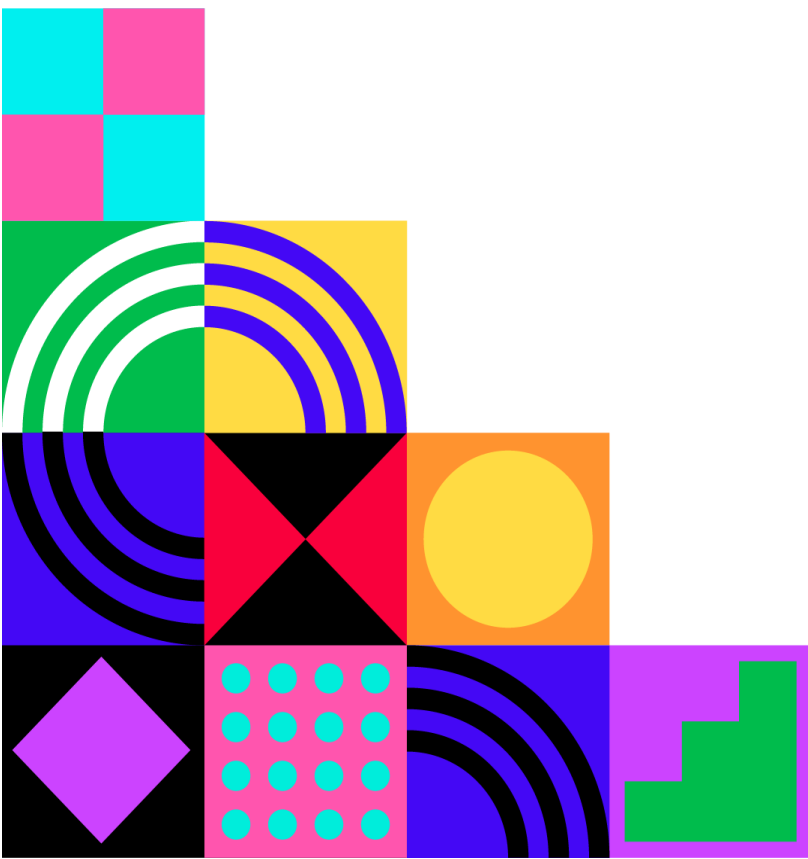


Community Broadcasting Association of Australia

News Bargaining Incentive: Distribution

Submission to the Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the
Arts



Acknowledgement of Country

The Community Broadcasting Association of Australia (the CBAA) acknowledges the Traditional Custodians of Country throughout Australia. We acknowledge First Nations' sovereignty and recognise the continuing connection to lands, waters and communities by Traditional owners of Country throughout Australia.

We pay our respects to Aboriginal and Torres Strait Islander cultures and to Elders past and present. We support and contribute to the process of reconciliation.

We acknowledge Aboriginal and Torres Strait Islander people have been telling stories for millennia and we continue this rich tradition of sharing, protecting and enhancing culture. We honour the dedication and expertise of First Nations broadcasters and their work to strengthen and connect communities.

The CBAA is based on the lands of the Gadigal People of the Eora Nation.



Image Credit: 'Will Tower' a painting by Koori Artist and 2022 Archibald Winner Blak Douglas

Table of Contents

Acknowledgement of Country	1
Table of Contents	2
1. About Community Broadcasting	3
2. Executive Summary and Key Recommendations	4
3. Section 1 – Eligibility Criteria.....	5
3.1 The \$150,000 Revenue Threshold.....	5
3.2 The ACMA Register of eligible news businesses.....	5
4. Section 2 – Payment Allocation Formula	6
5. Section 3 – Weightings	8
6. Section 4 – Payment Conditions	8
7. Section 5 – Administration of the Scheme	9
8. Additional Matter – A Dedicated Grant Component Distributed Through a Sector Intermediary	10
8.1 The Case for a Dedicated Grant Component	10
8.2 Administration Through a Sector Intermediary	11
9. Conclusion	12
10. Appendix – Summary of Recommendations	12
11. Contact and publication details.....	13
12. Attachment: Correspondence from the ACMA regarding the Professional Standards Test, 24 March 2021.....	14



Station volunteer [REDACTED] conducting a community interview live-to-air. Radio Eastern 98.1 FM, Victoria.

1. About Community Broadcasting

The Community Broadcasting Association of Australia (CBAA) is the peak body representing Australia's community broadcasting sector. CBAA represents 320 not-for-profit community broadcasters delivering more than 500 radio services across AM, FM, DAB+, streaming, podcasts and online platforms. These services collectively reach over 5.39 million Australians each week – one quarter of the national population.

Community broadcasting is Australia's largest independent media sector. It is also one of the most geographically and culturally diverse. Over 70 per cent of licensees are based in regional and remote areas. The sector includes 34 First Nations-led organisations providing 143 services, predominantly in regional and remote communities. Community radio broadcasts in more than 110 languages to 1.51 million Culturally and Linguistically Diverse (CALD) listeners each week. The Radio Reading Network provides services nationally for people with disability, reaching 668,000 listeners each month.

News and information is the single most important reason Australians tune in to community radio. According to CBAA's national Community Radio Listener Survey (Dec 2025), 51 per cent of weekly listeners nominate news and information as their primary reason for listening. In regional areas this figure rises to more than 64 per cent. At least 251 of 323 community broadcasters broadcast core news, as confirmed by airplay tracking data provided by CBAA to the Australian Communications and Media Authority (ACMA).

Community broadcasting also provides a critical public safety function. The Royal Commission into National Natural Disaster Arrangements specifically recognised that community radio stations “offer an important source of information during emergencies, particularly for Australians living in remote communities” and provide “information to isolated and rural communities when they are unable to receive landline or mobile phone communication, use the internet or watch television.”

The CBAA operates the Community Radio Network, including the National Radio News service produced in partnership with Charles Sturt University in Bathurst. This service delivers 84 national news bulletins per week, including content from three full-time journalists in the Parliament House Press Gallery – one covering disability perspectives and one First Nations journalist. The service reaches 1.69 million listeners weekly across 94 subscribing stations. Supporting the news service delivery functions of CBAA member stations is part of CBAA's constitution but is not our primary purpose.

Despite this scale and contribution, the community broadcasting sector operates on fundamentally different terms to commercial and public media. The sector is powered by around 18,000 volunteers and approximately 900 paid staff, the overwhelming majority of whom work part-time. Roles are deeply multifaceted with an average volunteer performing 2-3 functions – a single person may act as a presenter, journalist, fundraiser, technologist, digital communicator and administrator simultaneously. 54% of community broadcasting organisations have no paid staff. Most organisations operate on modest budgets, with 44 per cent of community broadcasters generating less than the \$150,000 annual revenue threshold currently required for registration under the News Media Bargaining Code (NMBC).

The design assumptions embedded in the proposed Statutory Payment Scheme do not appropriately recognise the business model and workforce of community broadcasting. As a consequence of this mismatch the proposed NBI risks having significant negative consequences for the community broadcasting industry.

2. Executive Summary and Key Recommendations

CBAA supports the Government's commitment to introducing the News Bargaining Incentive (NBI) to address bargaining power imbalances between large digital platforms and Australian news businesses. We welcome the principle that revenue raised through the NBI should be redistributed to support the sustainability of Australian news and journalism.

However, the proposed Statutory Payment Scheme as currently designed does not recognise the business model or operational context of Australia's largest independent media sector. Unless amended, the scheme risks excluding community broadcasting organisations from meaningful participation and directing funds almost exclusively to large incumbent media companies. This outcome will unfairly disadvantage community broadcasters in competitive regional markets and directly contrary to the Government's stated policy objectives for news diversity and public interest journalism.

CBAA's key concerns are:

- The \$150,000 annual revenue eligibility threshold under the NMBC excludes approximately 44 per cent of community broadcasters from the scheme entirely.
- The erroneous omission of community broadcasting codes of practice from the professional standards test in subsection 52P(1) of the Competition and Consumer Act 2010 (Cth) creates uncertainty about the sector's eligibility.
- The Full-Time Equivalent (FTE) journalist formula does not reflect how news is produced in community broadcasting, where the workforce is predominantly volunteer-based, part-time, and multifaceted in function.
- The proposed evidentiary and reporting requirements will impose disproportionate administrative burden on small volunteer-run organisations.
- The proposed weightings, while a positive step, are insufficient in their current form to overcome the structural disadvantages facing the sector.

CBAA makes the following recommendations:

1. Remove the \$150,000 annual revenue threshold from the NMBC eligibility criteria for the purposes of the NBI Statutory Payment Scheme.
2. Correct the erroneous omission of the Community Radio Broadcasting Codes of Practice and Community Television Codes of Practice from the professional standards test in subsection 52P(1) of the Competition and Consumer Act 2010 (Cth).
3. Broaden the definition of eligible FTE journalist roles to recognise volunteers and the multifaceted nature of news production in community broadcasting.
4. Materially increase the weightings applied to community broadcasting organisations, with a tiered system reflecting the number of diversity criteria met.
5. Replace the FTE-based retention obligation with conditions tied to news output and community service.
6. Permit sector intermediaries such as CBAA and the Community Broadcasting Foundation (CBF) to aggregate reporting and receive funds on behalf of member organisations.
7. Set aside 15 per cent of any levy funds collected for a dedicated grant component, administered through a sector intermediary, targeting organisations below the \$150,000 threshold, new newsrooms in news deserts, and capacity-building activities.

3. Section 1 – Eligibility Criteria

Q1: Do you have any concerns with the proposed registration and application process?

Q2: Would your organisation meet the criteria as set out under the ACMA register? If not, please explain which component of the eligibility criteria may cause an issue.

CBAA has significant concerns with the proposed registration and application process as it applies to community broadcasting organisations. The process relies on registration under the News Media Bargaining Code (NMBC), which contains two structural barriers that prevent a large proportion of community broadcasters from participating.

3.1 The \$150,000 Revenue Threshold

The NMBC currently requires news businesses to earn a minimum of \$150,000 in annual revenue to be eligible for registration. This threshold excludes approximately 44 per cent of community broadcasters – 141 organisations based on 2024 financial data.

This is a perverse outcome. The organisations most likely to be operating in challenging, uneconomic markets, news deserts and serving underrepresented communities are precisely those with the smallest revenue bases and lowest operating costs. A community radio station in a regional news desert that produces trusted, locally relevant public interest journalism should not be excluded from the scheme on the basis of its annual turnover. Excluding these organisations concentrates NBI revenue among larger, commercially stronger incumbents – directly contrary to the Government's policy objectives for news diversity.

CBAA submits that eligibility should be based on recognised editorial standards and demonstrated public interest output, not financial scale. There is no policy justification for a revenue threshold when assessing whether an organisation contributes to the goals the NBI is designed to advance.

Recommendation 1: Remove the \$150,000 annual revenue threshold from the NMBC eligibility criteria for the purposes of the NBI Statutory Payment Scheme.

3.2 The ACMA Register of eligible news businesses

The ACMA Register of eligible news businesses under the NMBC must be updated if it is to be used fairly to determine eligibility for the Statutory Payment Scheme.

An historical drafting error in subsection 52P(1) of the Competition and Consumer Act 2010 (Cth) omits the ACMA-registered Community Radio Broadcasting Codes of Practice and Community Television Codes of Practice from the list of named professional standards in the eligibility test.

This means community broadcasters are not clearly recognised as eligible under the scheme.

This omission persists despite the ACMA itself regarding the community broadcasting codes as analogous to the standards that are named (See Attachment 1: Correspondence from the ACMA).

This omission creates practical barriers. Digital platforms and scheme administrators who consult the ACMA website or the legislation directly will not readily identify community broadcasters as eligible recipients. The correction required is simple and non-controversial – the Government itself recognised the need to include community broadcasting codes in analogous legislation, with an amendment passed in November 2024 to the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024.

The ACMA's Media Diversity Measurement Framework recognises 251 community broadcasters as broadcasting professional news organisations and includes them in its assessment of the Australian news landscape. (News Media in Australian, ACMA (2025))

CBAA therefore seeks amendment of subsection 52P(1)(a)(ii) to add, after the reference to the Subscription Broadcast Television Codes of Practice, the words: or the Community Radio Broadcasting Codes of Practice and the Community Television Codes of Practice.

Recommendation 2: Correct the erroneous omission of community broadcasting codes of practice from the professional standards test in subsection 52P(1) of the Competition and Consumer Act 2010 (Cth).

Q3: Is the proposed eligibility criteria fit-for-purpose in ensuring that the scheme supports continued investment in public interest news, diversity of media voices, and quality journalism?

No. As outlined above, the \$150,000 revenue threshold and the professional standards test omission together exclude a significant portion of the sector best placed to serve news deserts and underrepresented communities. The eligibility criteria as currently designed will not support diversity of media voices – they will entrench existing concentration.

CBAA submits that the eligibility framework should be reoriented around the Government's own policy objectives as articulated in the News Media Assistance Program (News MAP) Policy Framework: access, diversity, press freedom, quality, citizen engagement and representation. Eligibility should be assessed against these outcomes, not against financial metrics that systematically disadvantage small, not-for-profit, and volunteer-based organisations.

Q4: Do any of the proposed eligibility criteria present significant costs or administrative burden for your organisation?

Yes. The registration process under the NMBC involves meeting six separate eligibility tests and providing supporting evidence. For large commercial organisations with dedicated compliance teams, this is a manageable exercise. For community broadcasters – most of which are run by small teams of paid staff and volunteers with limited administrative capacity – it represents a significant burden.

CBAA recommends that the administrative process be streamlined for community broadcasters, and that sector intermediaries such as CBAA be permitted to work with the ACMA to facilitate registration and application on behalf of member organisations to reduce duplication and cost across the sector.

Community broadcasters hold licences issued under the Broadcasting Services Act 1992 and are subject to binding licence conditions that require them to serve community interests and support community participation. The sector operates under the ACMA-registered Community Radio Broadcasting Codes of Practice and Community Television Codes of Practice — comprehensive codes that govern editorial standards, community service and participation obligations, governance, and, since 2025 explicit protections against misinformation and disinformation for radio broadcasters. Community broadcasting was the first broadcasting sector in Australia to codify these protections. Regulated community broadcasters that are proven to provide news content should be automatically registered.

4. Section 2 – Payment Allocation Formula

Q5: Is FTE journalists a good approximation for investment in news and journalism, and an appropriate basis for determining payments to the sector?

No. While the FTE journalist metric may serve as a reasonable proxy for investment in news by commercial organisations with dedicated editorial teams, it fundamentally misrepresents how non-profit community broadcasting organisations invest in and produce news.

The community broadcasting sector is powered by over 18,000 volunteers and approximately 900 paid staff, the overwhelming majority of whom work part-time. The sector's entire operational model is built around non-commercial participation, community service, and multifaceted contributions from

individuals who perform a wide range of functions. Under the proposed definition, which requires journalists to be “primarily responsible” for the investigation, recording, and reporting of core news content, the substantial news contribution of the community broadcasting sector would be rendered almost entirely invisible.

The CBAA's 2025 Community Radio National Listener Survey confirms that news is the primary reason Australians listen to community radio (51 per cent nation-wide, 62 per cent of regional listeners and 66 per cent of remote listeners). This demand is met not through dedicated newsrooms staffed by full-time journalists, but through the integrated, community-driven production model that defines the sector. An FTE-based formula that does not account for this model will systematically direct funds away from the organisations that are most important to public interest journalism in regional, remote, and diverse communities.

Community broadcasting is a well-worn pathway for student and early-career journalists to gain experience in a volunteers capacity. This training and development function is important to build the diverse workforce for all media outlets. Supporting this journalism training and development function is a cost to community broadcasters that results in news output. It is a vital part of the Australian news ecosystem and needs to be recognised.

CBAA's Community Broadcasting Census 2026 finds that 5% of paid roles in community broadcasting are and 8% of volunteer roles are Journalists and that 5% of paid roles and 6% of volunteer roles are news directors/co-ordinators. On average, community broadcasting workers report having an average of 2-3 functions. (Community Broadcasting Participation Census, CBAA (2026))

CBAA calls on the Government to consider an alternative or complementary metric that better captures investment in news production across different organisational models and workforce structures. One model for accommodating volunteer and multifaceted paid roles output could be to determine payments at 5-8% of operational costs for community broadcasters that do not have any eligible FTE Journalists eligible for payment.

Q6: Are the identified editorial roles clear and fit-for-purpose? Are there other roles that should be included?

The proposed definition of eligible journalists is not fit-for-purpose for community broadcasting. The definition includes journalists “primarily responsible” for the production of core news content, and photojournalists, videographers and graphic designers producing core news content in image form. It explicitly excludes “narrators, anchors, and presenters who primarily present core news content produced by journalists.”

In community broadcasting, these roles are inseparable. The individual who presents a news bulletin is frequently the same person who gathered, wrote, and edited the content. Multifaceted roles are not the exception in community broadcasting – they are the norm, driven by the sector's operational context and licence obligations to support community participation.

By excluding presenters and those whose primary function is not “core news” production, the definition fails to capture the full breadth of news contribution in the sector. CBAA recommends the definition be broadened to include individuals who demonstrably contribute to the gathering, verification, or presentation of news content as part of a broader portfolio of responsibilities, with a proportionate FTE value assigned based on the news-relevant share of their work.

Additionally, CBAA submits that volunteer contributors should be capable of recognition within the formula, at an appropriate equivalent value, where they are making a material and demonstrable contribution to the production of news content. Excluding volunteers from any calculation entirely ignores the foundation on which community broadcasting's news contribution rests.

Recommendation 3: Broaden the definition of eligible FTE journalist roles to recognise the multifaceted nature of news production in community broadcasting, including proportionate

recognition of individuals who contribute to news production as part of a broader role and, where appropriate, volunteer contributors.

Q7: Do the proposed evidentiary requirements present any specific difficulties, or a sizeable burden, for your business?

Yes. The proposed evidentiary requirements – including payroll records and statutory declarations for each eligible employee – are designed for organisations with formal HR and payroll systems. Most community broadcasting organisations are small not-for-profits with minimal administrative infrastructure. Collecting, verifying and submitting payroll evidence annually for employees and justifying the news-related nature of each role will impose a disproportionate burden relative to the likely payment received.

CBAA strongly recommends that the evidentiary framework be simplified for small organisations and that sector intermediaries such as CBAA be permitted to aggregate and submit evidence on behalf of members. This is consistent with how existing grant programs operate for the community broadcasting sector and would significantly reduce administrative burden for broadcasters and the Department.

5. Section 3 – Weightings

Q8: Are the proposed weighting categories an appropriate and effective means of accounting for the economies of scale and resourcing differences across the sector; and meeting the objectives of the Statutory Payment Scheme?

CBAA welcomes the principle of applying additional weightings to journalists working in regional and remote areas and for small, First Nations, CALD or LGBTQIA+ eligible organisations. These categories clearly align with the objectives of the scheme and reflect the Government's news policy priorities.

Our sector's organisations are predominantly small, predominantly regional or remote, and predominantly serve First Nations, CALD and other diverse communities.

However, the weightings in their current form are insufficient to overcome the structural exclusions of community broadcasting and will not benefit our sector unless changes are made to the eligibility criteria and payment formula.

In the event that these barriers are addressed adequately CBAA supports the weightings proposed. We argue weightings should be cumulative across the three diversity and representation categories (Regional and Remote, Small Business, News serving or representing marginalised communities.) supporting a 30% increase for organisations and journalists that meet all three categories.

Recommendation 4: Support a cumulative weighting system for eligible organisations meeting one, two, or all three diversity criteria respectively.

6. Section 4 – Payment Conditions

Q10: Is the proposed retention obligation an appropriate measure to ensure that funding provided to the sector delivers against a clear and valid public purpose?

Q11: Are there any risks or other issues we should take into consideration with regard to the retention obligation, including time periods and tolerance thresholds?

CBAA has serious concerns about the proposed retention obligation requiring recipients to maintain, at a minimum, the number of eligible FTE journalists used to calculate their payment. This condition is inappropriate for community broadcasting for several reasons.

First, requiring organisations to maintain a fixed headcount of paid journalists creates a perverse disincentive. Community broadcasting organisations do not employ dedicated news journalists as their

primary operational model. Requiring them to do so as a condition of receiving funds imposes a commercial employment obligation on not-for-profit, volunteer-based organisations that is inconsistent with their structure and purpose.

Second, because community broadcasting's news contribution is not reducible to journalist headcount, the retention obligation would not, even if met, guarantee that public interest journalism outcomes are achieved or maintained. A condition tied to news output – such as maintaining news services or meeting Community Radio Broadcast Codes of Practice conditions (i.e. No ACMA breach findings related to News (Code 5) – would be a far more appropriate and meaningful measure of public purpose.

CBAA recommends that retention conditions be reframed around demonstrable news output and community service obligations rather than headcount, and that tolerance thresholds and review periods be flexible enough to accommodate the operational realities of small volunteer-based organisations.

Recommendation 5: Replace the FTE-based retention obligation with conditions tied to news output and licensing obligations, with appropriate tolerance thresholds for small organisations.

Q12: What penalties should apply for organisations that are later found to have mis-reported their eligibility or employment practices?

CBAA accepts that a robust penalties framework is necessary to maintain the integrity of the scheme. However, any penalties must be proportionate to the scale and nature of the organisation involved and must distinguish between wilful misrepresentation and genuine good-faith errors in understanding complex eligibility criteria.

For small community broadcasting organisations with limited administrative and legal expertise, the risk of inadvertent misreporting is real. Penalties should be graduated, with administrative remedies and correction mechanisms available before escalating to financial penalties or exclusion. Permanent exclusion should be reserved for cases of deliberate and material misrepresentation.

It is important to note that all community broadcasters must abide by the Community Radio Broadcasting Codes of Practice - comprehensive codes that govern editorial standards, community service and participation obligations, governance, and, since 2025 explicit protections against misinformation and disinformation for radio broadcasters. Community radio broadcasting was the first broadcasting sector in Australia to codify these protections. Regulated community broadcasters have formal complaints procedures in place for Codes breaches and can involve ACMA investigations which can result in a loss of license. The content, governance and diversity of community broadcasting services does not need to be additionally investigated. If it were, it would be a significant duplication in regulation of our sector.

Penalties for misleading the regulator on the matter of a volume of news production can be adapted separately. CBAA has recommended that the evidentiary framework be simplified for small organisations and that sector intermediaries such as CBAA be permitted to aggregate and submit evidence on behalf of members.

7. Section 5 – Administration of the Scheme

Q13: Do you have any concerns about the general approach to regular reporting and an event-based notification framework?

Q14: What lead-in time would you require for information required under regular reporting and event-based notices? Do you have any concerns about the feasibility of collecting this information, the timing or sequencing of obligations, or disclosure of commercially sensitive information?

CBAA has significant concerns about the administrative burden that regular and event-based reporting obligations would impose on community broadcasting organisations. The proposed framework – including annual reporting on FTE journalist numbers, local government area coverage, and event-based

notices of structural or organisational changes – was clearly designed with commercial newsrooms in mind.

Most community broadcasting organisations are run by small teams, often with a single part-time paid manager supported by volunteers. Annual compliance cycles requiring payroll evidence, FTE declarations, coverage mapping, and notice obligations will absorb staff time and resources that are better directed toward news production itself.

CBAA strongly recommends that sector intermediaries such as CBAA be permitted to aggregate and submit reporting on behalf of member organisations.

CBAA does not consider the information required under the proposed reporting framework to be commercially sensitive for community broadcasting organisations, and does not object to publication of payment recipients and amounts.

Recommendation 6: Permit sector intermediaries such as CBAA to aggregate and submit reporting data on behalf of member organisations.

Q15: Do you have any concerns or views about penalties under the scheme, including the thresholds and penalties for serious non-compliance?

CBAA's position on penalties mirrors that expressed in response to Q12. Penalties must be proportionate, graduated, and sensitive to the operational realities of small not-for-profit organisations. Clear guidance and accessible remediation pathways should be provided before penalties are imposed. Penalties applicable to large commercial media organisations are not appropriate as a default for community broadcasters and should not duplicate ACMA regulated matters.

8. Additional Matter – A Dedicated Grant Component Distributed Through a Sector Intermediary

The Consultation Paper invites responses on any matters relevant to the development of the proposed distribution model. CBAA submits that the Statutory Payment Scheme, with or without the amendments recommended above, will not adequately reach the smallest and most community-focused news organisations in Australia. A complementary grant component is essential to ensure that NBI funds are distributed in alignment with the Government's own stated policy objectives.

8.1 The Case for a Dedicated Grant Component

CBAA proposes that 15 per cent of any levy funds collected through the NBI be set aside for a dedicated, industry managed, grant program. This program should prioritise:

- Publishers producing news and public interest journalism that do not meet the \$150,000 annual revenue eligibility threshold under the current NMBC, but that provide vital services in their communities;
- New newsrooms and journalism initiatives addressing news deserts and producing news content for underrepresented and underserved communities; and
- Capacity-building activities that support the long-term sustainability of newsrooms – including business development, technology adoption, and training – rather than simply rewarding existing headcount.
- Be managed by industry in accordance with agreed outcomes using available models of industry managed grant funding delivery (The Community Broadcasting Foundation and copyright licensing bodies provide options for models for industry managed fund governance and allocations).

- Support multiyear funding and maintenance of reserves to manage expected volatility in levy collections and support sustainable investment in news and journalism.

These priorities are consistent with the Government's rationale for policy intervention as articulated in the News MAP Policy Framework (2024), which identifies democratic health, community cohesion, and obligations to address market disruption as the foundations for government action in news and journalism. A formula-based scheme tied to existing employment will have anti-competitive effects to the detriment of community broadcasters. A grant component can direct funds flexibly to where they are most needed and where they will have the greatest impact on diversity and sustainability.

CBAA notes that the NBI is expected to generate significantly more revenue on an ongoing basis than the News MAP grants program, which is time-limited and relatively modest in scale. This makes the design of the distribution mechanism critically important, and underlines the urgency of ensuring that small and community-based publishers are not excluded from a major long-term funding stream whilst their market competitors receive substantial inflows for reinvestment in their services.

8.2 Administration Through a Sector Intermediary

CBAA proposes that this grant component be administered through a sector intermediary rather than through a direct government-administered competitive grants process. This is recommended for several reasons.

First, many community broadcasting organisations lack the administrative capacity to independently navigate centralised government grant applications. A sector intermediary that understands the operational context of community broadcasting – including the role of volunteers, the structure of not-for-profit governance, and the diversity of news production models – is far better placed to assess applications and distribute funds efficiently, equitably and accountably.

Second, administration through an arm's-length intermediary better protects the independence of news organisations from government. Distribution decisions made through clearly articulated policies by an independent body are consistent with the Government's own commitment, noted in the Consultation Paper, to maintaining transparency and press independence.

Third, international precedent supports this model. Canada's Online News Act 2023 provides an instructive example. Google's obligations under that Act are met through the Canadian Journalism Collective (CJC), an approved body authorised by the Canadian Radio-television and Telecommunications Commission (CRTC) on the basis of its governance standards and commitment to distributing funds "equitably" across all Canadian news sectors – explicitly including community media. The CJC model demonstrates that sector intermediaries can administer funds transparently, at scale, and in a manner that reaches the full diversity of the news ecosystem.

In the Australian context, appropriate intermediaries for a community broadcasting grant component could include:

- The Community Broadcasting Foundation (CBF), which already administers grant funding to the community broadcasting sector under rigorous governance standards; or
- A new purpose-built entity, modelled on international examples such as Press Forward in the United States, with appropriate sector representation and ACMA oversight.
- An arrangement with copyright licensing bodies to support collection and distribution to broadcasters directly or via the CBAA. These bodies already have a commercial relationship with CBAA and broadcasters.

CBAA recommends that the scheme legislation explicitly authorise distribution through such intermediaries. This would level the playing field for small producers without imposing additional administrative burden on broadcasters or government.

Recommendation 7: Set aside 15 per cent of any levy funds collected for a dedicated grant component, administered through an approved sector intermediary, targeting organisations below the \$150,000 threshold, new newsrooms in news deserts, and capacity-building activities.

9. Conclusion

CBAA supports the Government's intention to introduce the News Bargaining Incentive and to ensure that any revenue collected is redistributed to support the sustainability of Australian news and journalism. These are important policy objectives that CBAA has long advocated for.

However, the proposed Statutory Payment Scheme as currently designed risks achieving the opposite of its stated intentions for the community broadcasting sector. By relying on eligibility criteria that exclude most community broadcasters, a payment formula based on a workforce model that does not reflect how community broadcasting produces news, and administrative requirements calibrated to the capacity of commercial organisations, the scheme would direct funds to large incumbent media companies while leaving Australia's largest independent media sector behind.

Community broadcasting reaches over 5.38 million Australians each week. It is the primary news source for millions of people in regional, remote, First Nations, and culturally diverse communities. It has been explicitly recognised by the Royal Commission into National Natural Disaster Arrangements, the ACMA, and successive governments as a vital public good. It was the first broadcasting sector to codify protections against misinformation and disinformation.

The seven recommendations in this submission do not require a fundamental redesign of the Statutory Payment Scheme. They require amendments that recognise the reality of how community broadcasting operates and ensure that the scheme fulfils its own stated policy objectives. CBAA respectfully urges the Department to give these recommendations serious consideration.

CBAA would welcome the opportunity to meet with the Department to discuss the issues raised in this submission in more detail. Please contact [REDACTED] Head of Advocacy and Communications, [REDACTED].

10. Appendix – Summary of Recommendations

1. Remove the \$150,000 annual revenue threshold from the NMBC eligibility criteria for the purposes of the NBI Statutory Payment Scheme.
2. Correct the erroneous omission of community broadcasting codes of practice from the professional standards test in subsection 52P(1) of the Competition and Consumer Act 2010 (Cth).
3. Broaden the definition of eligible FTE journalist roles to recognise the multifaceted nature of news production in community broadcasting, including proportionate recognition of individuals who contribute to news production as part of a broader role and, where appropriate, volunteer contributors.
4. Support a cumulative weighting system for eligible organisations meeting one, two, or all three diversity criteria respectively.
5. Replace the FTE-based retention obligation with conditions tied to news output and licensing obligations, with appropriate tolerance thresholds for small organisations.
6. Permit sector intermediaries such as CBAA to aggregate and submit reporting data on behalf of member organisations.
7. Set aside 15 per cent of any levy funds collected for a dedicated grant component, administered through an approved sector intermediary, targeting organisations below the \$150,000 threshold, new newsrooms in news deserts, and capacity-building activities.

11. Contact and publication details

Submitted by:

[REDACTED] Head of Advocacy and Communications

On behalf of the Community Broadcasting Association of Australia (CBAA)

[REDACTED]

[REDACTED]

[REDACTED]

Date: May 2026

Confidentiality: This submission is non-confidential and may be published in full, with names and contact details redacted.

12. Attachment: Correspondence from the ACMA regarding the Professional Standards Test, 24 March 2021



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 7700

acma.gov.au

24 March 2021

██████████
Community Broadcasting Association of Australia
██████████

File reference: ACMA2020/424

Dear ██████████

Re: News Media Bargaining Code

Thank you for your letter of 5 March seeking clarification on several issues relating to the News Media Bargaining Code (the code).

Professional standards test

For the purposes of the code, the ACMA considers the Community Radio Broadcasting Codes of Practice and Community Television Broadcasting Codes of Practice registered by the ACMA analogous to the editorial standards specified in subparagraphs 52P(1)(a)(i), (ii) or (iii) of the code. That said, we note that the Community Radio Broadcasting Codes of Practice are currently under review. We recommend that, through this process, CBAA seeks to ensure that news-related code provisions are sufficiently effective and robust for a revised radio code to continue to be considered analogous to the editorial standards specified in the bargaining code. We look forward to working with CBAA in this regard.

Applicants subject to either of the community broadcasting codes will need to select 'internal' against the professional standards question on the application form. Applicants will also need to provide a link to where these standards can be found on their website or to where a reference to the standards is made, and where complaints about compliance with news and current affairs provisions can be lodged.

Definition of corporation

As your letter states, under the code, *corporation* has the meaning given by section 4 of the *Competition and Consumer Act 2010* (CCA):

corporation means a body corporate that:

- (a) is a foreign corporation;
- (b) is a trading corporation formed within the limits of Australia or is a financial corporation so formed;



(c) is incorporated in a Territory; or
(d) is the holding company of a body corporate of a kind referred to in paragraph (a), (b) or (c).

Australian
Communications
and Media Authority
www.acma.gov.au

The terms *financial corporation*, *foreign corporation* and *trading corporation* are also defined in the CCA.

Outside the assessment of individual applications, the outcome of which will depend on the particular features of the applicant entity, we are not able to offer further advice on particular entities which would fall within the scope of this definition.

Whilst we can't give you specific advice on the interpretation of "corporation" under the code, in general terms we are of the view that the definition includes incorporated companies and associations which meet the definitions of trading or financial corporations under the CCA. Our understanding is that the definition is not intended to include partnerships, sole traders and other unincorporated bodies or associations.

This letter does not constitute legal advice. We encourage prospective applicants to obtain legal advice if they consider this may be relevant to their applications.

I hope this information is helpful to CBAA members in the development of their applications.

Yours sincerely




Executive Manager, Consumer Safeguards Branch