

**News Bargaining Incentive (NBI) Revenue Distribution Model feedback****Solstice Media****This submission can be made public**

As publisher of *The New Daily*, *InDaily South Australia*, *InDaily Queensland* and *7am Podcast*, Solstice Media welcomes the opportunity to provide feedback on the proposed News Bargaining Incentive (NBI) Distribution Model and broader Statutory Payment Scheme framework.

As an independent Australian publisher operating across digital news, long-form journalism, audio and lifestyle media, Solstice Media strongly supports policy settings that promote sustainable investment in public interest journalism, encourage diversity of media voices and ensure regional and independent publishers can continue to grow and innovate.

Our comments are informed by our experience operating independent digital newsrooms in both metropolitan and state-based markets, alongside nationally distributed journalism and podcast products.

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

The proposed registration process appears broadly reasonable; however, we are concerned that the process may unintentionally favour larger incumbent media organisations with substantial compliance and legal resources.

Independent publishers often operate lean administrative structures. If the process becomes overly complex, document-heavy or legalistic, smaller and medium-sized publishers may face disproportionate administrative costs relative to the value of the scheme.

We encourage:

- a streamlined digital application process;
- standardised templates for evidence and reporting;
- proportional compliance obligations based on organisational size; and
- clear guidance notes with practical examples.

It is also important that assessment timelines are transparent and timely so publishers can plan staffing and investment decisions with confidence.

**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.**

Solstice Media believes its organisations and brands would broadly meet the proposed criteria.

However, we note that some elements of the eligibility framework may create ambiguity for modern digital media businesses operating across multiple platforms and brands, particularly where:

- editorial staff contribute across publications;
- journalism is distributed in audio and podcast formats;
- editorial and audience functions are increasingly integrated in digital publishing; and
- contributors or freelancers play a meaningful role in public interest journalism production.

We recommend the framework explicitly recognise contemporary multiplatform publishing models, including podcast journalism and shared editorial structures across related mastheads.

**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?**

The criteria are directionally appropriate, but greater emphasis should be placed on diversity and independent ownership.

A scheme focused purely on scale risks reinforcing market concentration rather than encouraging plurality. Independent publishers play a critical role in:

- covering state and local issues;
- supporting democratic engagement;
- innovating in digital journalism formats; and
- reaching audiences underserved by major metropolitan media groups.

We recommend that the scheme:

- explicitly recognise independently owned publishers;
- provide meaningful support to smaller and mid-sized publishers; and
- avoid thresholds that unintentionally exclude emerging or innovative journalism businesses.

Public interest journalism is strengthened through diversity of ownership as much as through scale of output.

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

The proposed evidentiary and reporting requirements may create moderate administrative burden, particularly where:

- staff work across multiple brands;
- roles are hybrid in nature;
- contractors and freelancers contribute significantly; and
- publishers operate across text, audio and digital video.

Tracking FTE allocations with precision may require new systems or additional administrative oversight. While these requirements may be manageable, proportionality will be important. Compliance obligations should not consume resources that would otherwise be directed toward journalism itself.

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

FTE journalist numbers are a useful and relatively objective baseline measure, but they are not a complete proxy for investment in journalism.

Modern journalism businesses increasingly rely on multidisciplinary editorial teams including:

- podcast producers;
- digital editors;
- visual journalists;
- data and audience specialists; and
- investigative contributors.
- columnists

A purely journalist-FTE-based model may undervalue innovative publishing models and digital-first operations. We recommend a blended methodology that:

- uses journalist FTEs as a core metric; but
- also recognises broader editorial production roles and investment in original journalism.

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

The proposed roles are broadly appropriate, but should be expanded to reflect contemporary newsroom structures. Additional eligible roles should include:

- podcast producers;
- audio journalists;
- video journalists;
- digital producers;
- audience editors where their role materially supports public interest journalism distribution and engagement;
- fact-checking and research staff; and
- editorial production specialists.

Increasingly, high-quality journalism relies on collaborative multidisciplinary teams rather than traditional print-era role definitions.

**Q7: Do the proposed evidentiary requirements present any specific difficulties, or a sizeable burden, for your business? Are there any risks arising from these evidentiary requirements?**

The primary risks relate to:

- ambiguity around role classifications;
- reporting complexity for cross-brand staff;
- confidentiality concerns around staffing structures; and
- administrative burden for smaller publishers.

There is also risk that highly prescriptive evidentiary requirements may discourage participation by smaller independent publishers. We recommend:

- standardised evidence templates;
- practical guidance around role categorisation;
- confidentiality protections for commercially sensitive data; and
- audit thresholds proportionate to organisation size.

**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?**

Weighting categories are appropriate in principle and are essential to avoid disproportionately rewarding already dominant market participants. Without meaningful weighting mechanisms, the scheme risks further entrenching concentration in the Australian media market. Weightings should recognise:

- independent ownership;
- regional and state-based coverage;
- smaller newsroom scale;
- innovation in digital publishing; and
- underserved audiences.

The framework should encourage sustainability and competition, not merely reward existing scale.

**Q9: What weighting values would best achieve these aims?**

We support a progressive weighting structure that provides comparatively greater support to small and medium independent publishers. Consideration should be given to:

- stronger weighting for organisations below defined revenue or staffing thresholds;
- additional weighting for independently owned publishers;
- recognition of regional and state-based reporting; and
- incentives for growth in newsroom employment.

The weighting system should be calibrated carefully to avoid cliff effects that penalise growth.

**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?**

A retention obligation is reasonable provided it is flexible and commercially realistic. The objective should be to encourage sustained investment in journalism rather than create rigid staffing obligations that limit operational adaptability.

Media organisations operate in highly dynamic commercial environments. Staffing structures may change due to market conditions, audience shifts or strategic priorities, even where organisations remain committed to journalism investment. A principles-based approach would be preferable to overly rigid retention rules.

**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?**

Yes. Key risks include:

- discouraging operational flexibility;
- creating unintended barriers to innovation or restructuring;
- penalising seasonal or project-based editorial staffing changes; and
- disadvantaging smaller publishers more exposed to revenue fluctuations.

Tolerance thresholds should account for normal business variation and economic conditions. We recommend:

- reasonable tolerance bands;
- flexibility for temporary staffing fluctuations;
- recognition of contractor and freelance journalism contributions; and
- review mechanisms for exceptional circumstances.

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

Penalties should distinguish clearly between:

- deliberate misconduct or fraud; and
- inadvertent administrative or reporting errors.

Intentional misrepresentation should attract meaningful penalties, including repayment obligations and potential exclusion from future participation. However, administrative mistakes should be addressed proportionately through:

- correction mechanisms;
- remedial reporting; and
- graduated enforcement responses.

The compliance framework should encourage good-faith participation rather than create excessive regulatory fear.

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

The overall approach is reasonable, provided reporting obligations remain proportionate and practical. Event-based reporting requirements should be clearly defined to avoid uncertainty regarding:

- what constitutes a reportable event;
- reporting thresholds; and
- reporting timeframes.

Publishers should not face excessive administrative demands for minor operational changes.

**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?**

We recommend:

- at least 90 days lead-in time before initial reporting obligations commence; and
- reasonable notice periods for new or amended reporting requirements.

Concerns include:

- the administrative burden on smaller publishers;
- timing overlap with financial reporting cycles;
- resource diversion from journalism functions; and
- disclosure of commercially sensitive staffing or organisational information.

Strong confidentiality protections will be essential.

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

Penalties should be proportionate, transparent and scalable according to organisation size and severity of non-compliance. The framework should:

- focus on intentional abuse or systemic misconduct;
- include graduated enforcement pathways;
- allow remediation opportunities for good-faith errors; and
- avoid disproportionately punitive impacts on smaller independent publishers.

It is important that compliance costs and regulatory risk do not discourage participation by the independent media sector the scheme is intended to support.

**Closing Comments**

Solstice Media supports the intent of the proposed framework and welcomes initiatives designed to strengthen the sustainability of Australian public interest journalism. However, the success of the scheme will depend on ensuring that:

- independent publishers can participate equitably;
- compliance obligations remain proportionate;
- modern digital publishing models are recognised; and
- funding settings genuinely enhance media diversity rather than reinforce existing concentration.

Independent publishers such as *The New Daily*, *InDaily SA*, *InDaily Queensland* and *7am Podcast* play a vital role in Australia's democratic and media ecosystem. Policy settings should ensure that innovative and independent journalism businesses are able to continue investing in high-quality public interest reporting for Australian audiences.