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News Bargaining Incentive Consultation on Revenue Distribution

About The Conversation

The Conversation is an Australian headquartered global not-for-profit journalism project. The Conversation's Australian team of 40 plus professional journalists publishes approximately 400 articles a month working with leading researchers and academics delivering news, research and commentary on current events.

The monthly audience to The Conversation Australia is 7.3 million average monthly page views onsite, and 12 million if republication in other media is counted.

The Conversation has strict editorial standards around fact checking and complaints. Editors and authors are bound by [global editorial policies](#) and a [charter](#). Authors complete a disclosure of funding and relevant interests.

The Conversation and The News Media Bargaining Incentive

The Conversation is an advocate for the importance of quality journalism in serving democracy and empowering citizens to make good decisions in their lives. The news media bargaining incentive charge (NMI) could help provide a valuable contribution from large platforms who benefit from news, to media outlets incurring all the cost of producing news.

Responses to Proposed Statutory Payment Scheme

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

Response: ACMA registration is rigorous and media outlets on the register have demonstrated eligibility, including The Conversation.

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.

Response: Yes

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?

Response: The criteria of annual revenue exceeding \$150,000 in the past year may exclude smaller start ups and volunteer led media in remote locations

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

Response: No

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

Response: Yes

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

Response: Yes, the identified roles are appropriate.

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?

Response: We support the use of payroll information as evidence of employment of journalists. The assessment of FTE should be based on payroll, and statutory declaration regarding the journalistic nature of the role. This would ensure The Conversation's professional journalists are not unintentionally excluded due to the fact that much of the work they commission, edit and curate does not appear under their personal byline. The

role played by newsroom editors and professional journalists whose work is not publicly credited is critical in the production of core news content.

Q8: Are the above 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?

Response: Yes

Q9: What weighting values would best achieve these aims?

Response: NA

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?

Response: Yes

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?

Response: Allow for a period to notify if there are structural changes required by the media business and promptly return any unused FTE based funds as part of planned redundancies.

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

Response: Repayment of money due to misreporting (on for example the FTE calculation) could incur an additional fine if the media outlet generates over \$250 million, scaling down for smaller outlets. The returned funds with the funds from fines could be redistributed to compliant media outlets via the NIF or similar.

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

Response: No

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?

Response: No concerns, we support transparency. A lead time of 12 weeks would be ideal for reporting and event based notices.

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

Response: No

The government is to be congratulated for efforts to protect public interest journalism in Australia and we hope that the incentive and related revenue distribution from the levy works well.

Sincerely,

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