



Prominence Framework for Connected Television Devices – ACTA Submission

This submission is being submitted on behalf of the Australian Community Television Alliance (ACTA), an organisation with arts and broadcast components.

ACTA is a not-for-profit industry association, representing free-to-air community television (CTV) channels licensed by the Australian Government under the *Broadcasting Services Act, 1992*.

ACTA has been established to represent existing and potential CTV licensees and to advance the interests of community television in Australia.

ACTA is governed by an executive group, currently consisting of the heads of the capital city CTV stations.

“Watch Different” – What is Community TV

Community television is THE place for every story.

As recognised in the National Cultural Policy *Revive: a place for every story, a story for every place*, community television is a key facet of the community broadcasting sector which is a vital part of the Australian media landscape, providing a voice for underrepresented and underserved communities including First Nations people, culturally and linguistically diverse communities, educational services, faith-based communities, people with disability, youth and seniors. Community television has also been recognised for its key role in emergency resilience, local engagement and as a platform for original Australian content.

The inclusion of community television in the prominence framework is critical to ensuring that diverse communities have access to a broadcast platform in which to express their creativity and share their stories, traditions, faces and voices. Community television provides opportunities for representation at the truly hyperlocal community level, with content being created by over 1000 volunteers from diverse communities around Australia. As media becomes more homogenised, the challenge for community television is to ensure it remains a sustainable multi-platform hub for community created content.

With around 120 locally produced programs airing on community television across Melbourne and Adelaide, the sector continues to be a thriving hub for local content creators telling stories of local significance. As community television’s multi-platform distribution continues to expand beyond free-to-air, so does their capacity to provide original content makers an opportunity to reach their intended audiences and beyond. By its very nature, community television has always been an organic source of diversity on screen. With long-standing connections to multicultural groups, people living with disabilities, youth organisations and the broader media sector, community television stations are well placed to help foster greater equity and authentic representation on Australian screens, reflecting cultural diversity and contributing to the development of an Australian identity.

Community television is also the place which provides resources and training to the under-resourced, youth, ageing, disabled, and multicultural communities to create technically proficient content, suited for broadcast and new media, and distributed via their own network of channels. These programs are designed to not only contribute to diversity and plurality of media but to equip participants with production and narrative skills and opportunities to participate, collaborate, gain social skills and confidence. Community television plays a vital role in supporting authentic representation of Australians on-screen, however content can only truly be representative when the operators, technicians, writers, and editors behind the camera are also truly representative of the community. Community television stations are the place these opportunities can be offered, where authentic inclusion takes place, and where all these stories can be made and told.

Community television stations accommodate around 70 internships every year sourced from diverse cultural backgrounds providing experience in content production and broadcast operations, with collaborative pathway programs supported by VicScreen and the South Australian Film Corporation. They broadcast 15 programs per week produced as part of tertiary institution coursework in Film & TV and Journalism degrees. Community television stations work with over 30 CALD program-creators, which supports the production of content reflecting and sharing the culture and lifestyles of their communities. Many of these programs are broadcast in non-English languages.

While ACTA members are expanding their focus from traditional broadcast to new media, ACTA remains committed to the values of community wellbeing, social cohesion, diversity, opportunity, and participation.

ACTA members joined forces to launch the brand-new Australian streaming service CTV+ on Android and iOS smart-device apps in mid-2022. [CTV+](#) was launched alongside a ["Watch Different"](#) marketing campaign. Also available via [ctvplus.org.au](#), the streaming service begins development for its Smart TV apps through the Winter of 2023.

ACTA sees the development and eventual release of CTV+ on Smart TVs as being a crucial step for community television in Australia and will be strongly advocating for its inclusion in any prominence legislation.

ACTA's short-term goals include:

- Amending the *Broadcasting Services Act 1992* to remove the end date of 30 June 2024 arbitrarily set for existing community television licences (Section 96A).
- Return current community television licences to five-year terms, subject to implementation of media reforms and confirmed reallocation of the occupied spectrum for other purposes.
- Continue to actively participate and contribute to discussions held by the Future of Broadcasting Working Group.
- Build an audience for community television streaming platform CTV+.

ACTA's long-term goals are focused on:

- Work with the Federal Government on how CTV+ fits within their future framework for local content quotas and to ensure that it is a part of any prominence legislation applied to Smart TV manufacturers in Australia.
- As part of a long-term technical overhaul of CTV services, restrictions on CTV stations providing services that include closed captioning and HD linear streams are removed and inclusion on the Freeview EPG is maintained and expanded.
- Continue to advocate for a long term free-to-air spectrum existence for community television post digital re-stack, allowing for adequate time to transition audiences and business models to ensure community television stations have a long and viable future.
- Grow and maintain streaming audiences and achieve cost-neutrality for CTV+.
- Establish dedicated linear streams on CTV+ for other capitals and build relationships with local producers and stakeholders to provide local content and build local community television brands on CTV+.
- Gain support for the re-expansion of community television in markets where no FTA licensee exists, including, but not limited to, Sydney, Brisbane, and Perth, whilst exploring a networked approach to the CTV brand.

Which TV Services Should Be Included

Ensuring CTV+ achieves prominence is paramount to the future viability of community television.

ACTA strongly recommends that the positioning of CTV+ should reflect the positioning of community television in Melbourne and Adelaide in the current broadcast landscape.

CTV+ aggregates 100% Australian-made community focused content. Including it in any prominence legislation is an important step towards ensuring Australian stories, grassroots sports broadcasts, localised news and

cultural events and festivals are prioritized and made readily accessible on Smart TVs across Australia.

ACTA's wholistic view of which services should be included in any prominence legislation falls in line with Proposal 5.2, supporting FTA broadcasters' linear broadcasts (C31 Melbourne, C44 Adelaide) as well as BVOD applications (CTV+).

The immediate challenge for community television stations is continuing access to spectrum. After a lengthy battle to preserve access to broadcast spectrum, community television stations are currently legislated to broadcast through to 30 June 2024. ACTA is strongly advocating that community television licences in Melbourne (C31) and Adelaide (C44) are extended through to mid-2029, well clear of any likely requirement of spectrum or any planned digital restack date, which may not occur until as late as 2030 or beyond. Community television stations will use this time to transition to digital platforms and meet the challenge of reducing audiences on free-to-air, whilst implementing initiatives to ensure that no Australians are left behind during this great digital disruption.

The digital divide across Australia remains a significant challenge in the community. Socio-economic factors, regional internet availability and reliability, and technical challenges confronting many Australians, can and do, impact accessibility to digital platforms. While community television must continue to be available on the free-to-air broadcast to guarantee access to community created content, news, and entertainment, the sector will also ensure its digital platforms, namely CTV+, remain free to provide audiences access to local content.

Which Devices Should Be Regulated

ACTA supports Proposal 6.1 – which suggests all TV devices are regulated as part of any prominence framework.

Which Entities Should Be Responsible for Compliance with The Framework

ACTA supports Proposal 7.1 – which suggests that device manufacturers are required to comply with prominence obligations on regulated TV devices.

Which Regulatory Model Should Be Used

ACTA supports Proposal 8.4 – which suggests that along with a "must-carry arrangement", regulated TV devices would also be required to carry and promote local TV services. Community television stations would be concerned about any proposal that created an opportunity for positioning and prominence to be affected or measured by the local TV service providers capacity to enter commercial arrangements with regulated TV manufacturers. Per the requirements of community television stations' broadcast licences and non-profit status, they are not commercially driven and therefore would be disadvantaged by any regulatory model that allowed local TV service providers who could use demonstrative commercial and financial resources to achieve preferential positioning and overall prominence. Proposal 8.4, whilst being the most significant regulatory intervention model, is the most equitable and fair and works towards ensuring community television services are not drowned out or lost.

What Legislative Mechanism Should Be Used to Implement the Framework

ACTA supports Proposal 9.3 – which suggests that an industry code coupled with supporting legislation be

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implemented. ACTA notes as an additional reminder, that community television stations C31 Melbourne and C44 Adelaide are currently working with the Federal Government towards achieving amendments to the *Broadcasting Services Act 1992* that extend both stations broadcast licences beyond 30 June 2024, and that said stations are currently advocating for their FTA broadcast licences to be extended through to mid-2029.

ACTA welcomes the recent opportunity to join the Future of Television Working Group. We look forward to collaborative and constructive participation throughout and are encouraged by our inclusion at this stage in the process.

If you would like to discuss this submission, please contact ACTA representatives Shane Dunlop (President) or Lauren Hillman (Vice President).

Shane Dunlop
ACTA President

Lauren Hillman
ACTA Vice President