



Submission to the

Review of

The Australian Communications Media

Authority Consultation

May 2016

Introduction:

The Australian Narrowcast Radio Association (ANRA) is the peak industry body representing Low Power Open Narrowcast (LPON) Radio services and the High Power Open Narrowcast (HPON) Radio services located across all States and Territories of Australia. Our membership includes the major Narrowcast radio program providers such as the TAB agencies and organisations, foreign language groups, fringe music services, tourist services and religious services, as well as many other independently owned and operated services

ANRA welcomes the opportunity to comment on the issues canvassed in the ACMA Review Consultation paper. Our comments reflect a consensus of our membership. However individual members may make their own submissions.

ANRA supports in principle any proposals that will assist in improving the management and planning of communications in Australia and generally supports the recommendations made in the report.

We would be concerned should any to the governance or structure changes proposed for the ACMA result in restricting ANRA's access to decision makers, a relationship with the ACMA which we value, and responsiveness over any licensing or dispute or increased costs or burdens on our members.

Substantive Comments on Proposals

Remit:

1. ANRA has no problem with this recommendation

Functions Analysis:

2. ANRA does not oppose the ACMA's cyber-safety programmes being transferred to the Attorney-General's Department.
3. We are concerned that the ACMA's many years of Research capabilities could be lost by a transfer to the Bureau of Communications Research which we see as another layer of government, that is already well catered for by the ACMA. We submit it is important for the ACMA to be taking the lead in research covering both the emerging environment and market

trends so then it is better equipped to provide the necessary research focussing on supporting the effectiveness of regulatory functions and harms that may affect businesses and consumers. The two areas are interlocked and we submit it would not be helpful if they were separated. By taking a forward overview the ACMA can also focus the research on matters it considers necessary and most important so it has the facts available to make timely decisions.

4. ANRA submits that as the regulatory authority, the ACMA would be best equipped for head of delegation roles to key international policy setting forums and do not see the need for parameters to be provided by the Bureau of Communications Research.
5. Although we do not oppose any work that may make any function of government more efficient ANRA does not agree that the Australian Taxation Office with no experience in Communications would be more efficient to undertake revenue collections currently performed by the ACMA. Revenue collection primarily relates to the payment of licences and it is essential that ACMA controls this function to allow clear dialogue between ACMA and its customers to ensure accounts are correct and to prevent licences inadvertently expiring.
6. ANRA agrees that the ACMA examine the possibility of technical standards being referred to industry stakeholders in regards to self-regulation and that the Narrowcast industry is equipped to take on this task. We do not have a view on the other areas raised in this recommendation.
7. ANRA does not have a view in regard to recommendation 7.
8. Likewise for recommendation 8.
9. We agree that the current institutional arrangements for economic regulation of the communications sector be retained.

10. ANRA submits there needs to be comprehensive liaison between the ACMA and ACCC to assist both bodies in their decision-making.

11. ANRA agrees that current consumer protections be retained.

Objectives:

12. ANRA agrees that it is imperative that the Government of the day provide the ACMA with a clear set of overarching policy objectives to guide its decision making. However it is also imperative that before any policy objectives are given that a thorough consultation process occur with relevant stakeholders such as industry bodies. ANRA would expect to be involved in such a process.

Governance:

13. ANRA agrees with recommendation 13.

14. ANRA does not see a problem with this recommendation.

15. ANRA agrees that the Authority be appointed on a full time basis.

16. ANRA agrees with this recommendation.

17. ANRA agrees with the sentiment of the recommendation although we would suggest that the Chair of the Authority be permitted to sit on sub-boards if he or she so wishes and that the recommendation read "That the Chair of any such sub-boards be a member of the Authority."

Enhancing regulator performance:

18. ANRA agrees with recommendation 18.

19. ANRA is in agreement with recommendation 19 as long as ACMA is fully funded to meet the Minister's expectations without it hindering the ongoing work of the ACMA.
20. Likewise with the previous recommendation ANRA agrees in principle as long as it does not hinder the work or efficiency of the ACMA and that the necessary resources are given to the ACMA to carry out the recommendation.
21. ANRA agrees with the sentiment of this recommendation.
22. ANRA is happy for this recommendation to be accepted.
23. ANRA supports this recommendation and suggests the ACMA actively encourages and welcomes suggestions from industry and individuals on how the regulatory burden on them can be reduced. ACMA must also receive the resources needed to carry out this work so the necessary functions of the ACMA to operate efficiently are not impacted.
24. ANRA supports this recommendation and believes such customer feedback can only be beneficial.

Resources:

25. ANRA is not convinced that revenue collections by the Australian Taxation Office would make the ACMA any more efficient and in fact such a move could make it less efficient because of payment disputes concerning licensing. (See Point 5). We are also concerned that moving the revenue collections to the ATO is a step towards another government body calculating cost recoveries with little or no experience in communications. Further, any disputes or problems with billing will involve the customer having to contact both the ACMA and the ATO and for both departments to liaise on the matter a situation which will be grossly inefficient.

26. ANRA welcomes this recommendation and although it would be good to enshrine this in regulation, ANRA would hope that the ACMA is already analysing its cost base on a regular basis.

27. We have no problem with the recommendation with the proviso any regulatory reform is conducted in a consultation basis with industry bodies.

