

Mr Peter Saunders  
First Assistant Secretary  
Office of Best Practice Regulation  
Regulatory Reform Division  
Department of the Prime Minister and Cabinet  
PO Box 6500  
CANBERRA ACT 2600

ACMA file reference: 2014/63

Dear Mr Saunders

**Remaking the sunseting Television Program Standard 23**

I am writing to the Office of Best Practice Regulation (OBPR) about *Television Program Standard 23 - Australian Content in Advertising* (TPS 23) which, as per the *Legislation Act 2003*, was scheduled to sunset on 1 April 2019.

The Australian Communications and Media Authority (the ACMA) decided to remake the instrument without significant amendment. In doing so, the ACMA certified that TPS 23 is operating efficiently and effectively.

The assessment that the regulation is operating efficiently and effectively was informed by a public consultation process over a five-week period. Two submissions were received, from Free TV Australia and Screen Producers Australia.

Under subsection 122(6) of the *Broadcasting Services Act 1992*, the ACMA is required to have a standard in force that is, or has the same effect as, the standard in force in 2004 (which is TPS 23, as currently in force). Therefore, a Regulation Impact Statement was not required for this regulation to be remade.

I acknowledge that OBPR will publish this letter for transparency purposes. If you have any queries about this advice, please contact Jonquil Ritter on 02 9334 7833 or [jonquil.ritter@acma.gov.au](mailto:jonquil.ritter@acma.gov.au).

Yours sincerely



Nerida O'Loughlin

7 January 2019