



**Australian Government**

**Department of Communications and the Arts**

Mr Jason Lange  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet  
GPO Box 5600  
CANBERRA ACT 2601

Dear Mr Lange

***Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)***

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)*, which, as per the *Legislation Act 2003*, has been scheduled to sunset on 1 October 2019. Following a review and consultation with relevant stakeholders, the instrument is to be remade without significant amendment.

The Department of Communications and the Arts certifies that the *Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)* is operating effectively and efficiently and that therefore a Regulation Impact Statement is not required for this Ministerial determination to be remade.

The assessment that the determination is operating effectively and efficiently has been informed by a consultation process over a 30 day period during July and August 2019. The consultation paper provided information on the determination and outlined a proposed position of remaking the sunseting Determination without significant amendment but for a shorter period of three years. The consultation process included responses from 23 stakeholders across a range of industry sectors (Ten Network, Seven West Media, Nine Entertainment, Prime Media Group, Commercial Radio Australia, COAG Education Council, Australian Copyright Council, ABC, SBS, DIGI, Google, Screenrights, PPCA, APRA/AMCOS, Foxtel, Australia New Zealand Screen Association, Screen Producers Australia (SPA), Telstra, Optus, Netflix, Stan, Amazon and Microsoft).

All but one of the stakeholders agreed to a remake of the sunseting determination.

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I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Andrew Verdon on ph 6271 1213 or email [Andrew.verdon@communications.gov.au](mailto:Andrew.verdon@communications.gov.au)

Yours sincerely



Richard Eccles  
Deputy Secretary

16 September 2019