



Australian Government

Department of the Prime Minister and Cabinet

Office of Best Practice Regulation

Reference: 25250
Telephone: 6271 6270
e-mail: helpdesk-OBPR@pmc.gov.au

Mr Ben Phelps
Assistant Secretary, Copyright and Content Branch
Department of Infrastructure, Transport, Regional Development and Communications

Dear Mr Phelps,

Regulation Impact Statement – Second Pass Final Assessment – Australian Content Multi-Channel Obligations for Regional Broadcasters

Thank you for sending the Regulation Impact Statement (RIS) examining the Australian content multi-channel obligations of regional broadcasters to the Office of Best Practice Regulation (OBPR) on 6 May 2020 for second pass final assessment.

The OBPR's final assessment is that the Department is compliant with the Government's requirements, but that the RIS was not consistent with best practice. The RIS may now be provided to the decision maker to inform a final decision.

The OBPR considers that a higher level of analysis is required for the RIS to be consistent with best practice. In particular, more evidence is needed of the nature and magnitude of the problem being addressed (especially with regards to profitability or commercial viability of regional and remote broadcasters) and why government action is necessary to deal with these problems (as opposed to, for example, a change in business practices).

However, the RIS acknowledges these areas where the Department does not have this clear evidence, while making the case why, on balance, the Department recommends a change from the status quo. While not a strong case for change, it is adequate against the Government's impact analysis requirements.

We would appreciate you advising us when a final decision on this proposal has been announced and forwarding us a copy of the RIS in a form meeting the Government's accessibility requirements. The OBPR's reference number for this matter is 25250.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jason Lange'.

Jason Lange
Executive Director
Office of Best Practice Regulation
6 May 2020