

NO BREACH OF ANTI-SIPHONING RULES BY AUSTRALIS, ABA SAYS

No breach of the anti-siphoning regime for sports and other events has been committed by Australis Media Limited, the ABA has said.

The ABA has received a response from Australis which makes clear that, contrary to the impression created in its 28 July media release, Australis has, in fact, not acquired any rights to broadcast events on the anti-siphoning list.

Both subscription and free-to-air rights to some listed events have been acquired by Prime International. Australian free-to-air broadcasters will have the opportunity to acquire the rights to broadcast those events.

The joint venture agreement entered into by Australis simply gives its licensees first access to subscription broadcasting rights when they become available. Australis or its subsidiary subscription licensees will only be able to acquire the right to broadcast such events if a free-to-air broadcaster first acquires the rights to broadcast the event or the event is removed from the Minister's list.

CLARIFICATION SOUGHT

The ABA held talks on 29 July with representatives of Australis Media Ltd on the issue of sports rights and pay TV.

The talks followed the announcement by Australis of a joint venture with Liberty Media/Prime International. The joint venture is in the field of television

program rights over certain sporting events.

The ABA noted that some of the events are included in an anti-siphoning list contained in a notice gazetted by the Minister for Communications and the Arts in July. Under the provisions of the Broadcasting Services Act, the Minister published the list to ensure that these programs 'should be available free to the general public'.

In addition, all subscription television broadcasting licences, including those controlled by Australis, are subject to the condition in the Act that licensees will not acquire the right to broadcast an event to which a notice applies unless a free-to-air broadcaster has acquired the right to broadcast that event.

In the light of information Australis has provided to the ABA, the ABA asked Australis to clarify some aspects of its announcement.

Events mentioned in Australis' 28 July media release which are protected by the Minister's anti-siphoning list include:

- Australia-West Indies test cricket series—February 1995.
- Australia-South Africa-India one day cricket series—October 1996,
- The New Zealand centennial cricket competition—February 1995,
- The 1995 rugby league World Cup.
- US Professional Golf Association tournament.
- English Football Association Cup final.



BORDERLESS OPPORTUNITIES

THE TEXT OF AN ADDRESS BY INDUSTRIES' CONFERENCE,

Today we are addressing the question of the export opportunities for the cultural industries. Specifically I have been asked to address those opportunities that will exist in the development of borderless markets.

Before doing so, I want to tackle an idea that a distinction is to be made between culture and communications. That would be as if communication was not the building block of culture and culture was not the product of the richness of human communication.

CULTURE AND COMMUNICATIONS

If by communications is meant the various technological apparatuses and services that carry human messages, then we are simply talking about enabling technology. That is, those things that further the development of cultures, but are not in themselves the heart of the culture.

It is also ironic that we are here today talking about the export of Australian culture and cultural products, when we ourselves are the products of both physical and cultural exportation to this land.

By this I don't just mean our colonial past and the inheritance from our Anglo-Celtic forebears. I mean the cultural enrichment we have received from European and Asian migration since the war and the unique multicultural character of Australia to which this has contributed. I also mean the growing, but long overdue recognition of the culture of the indigenous people whose land was colonised and to whom we owe a debt.

Yet, we are also the products of cultural exports from the United States, whose popular culture has so effectively travelled the world in this century. In fact, there are those who would argue that Australia has suffered or is still suffering from the import of an American popular culture that threatens to overwhelm our own identity.