

Q & A

PETER WEBB, DEPUTY CHAIRMAN OF THE ABA HAS RECENTLY RETURNED FROM SINGAPORE, INDONESIA, MALAYSIA AND JAPAN. MR WEBB TRAVELLED WITH GILES TANNER, ABA DIRECTOR PLANNING, EXAMINING SIMILARITIES AND DIFFERENCES BETWEEN BROADCASTING REGULATION IN AUSTRALIA AND SOME ASIAN COUNTRIES, AND THE CHALLENGE POSED BY BORDERLESS MARKETS TO COUNTRIES IN THE ASIA-PACIFIC REGION.

What was the purpose of the trip?

For the past 12 months or so, Brian Johns [ABA chairman] has been speaking about a number of issues that lead inevitably to the need for international regulatory co-operation, particularly regional regulatory co-operation in the Asia-Pacific area. He has spoken about borderless markets and the impact of convergence. So while we have been domestically and internally focused in the past two years, in more recent times we have been looking outward. We have started to forge relationships with our traditional western counterparts—the US Federal Communications Commission (FCC), UK broadcasting regulators, New Zealand, Europe and more recently Canada, and now we are in better shape to approach our Asia-Pacific neighbours with a view to co-operation and closer liaison.

Why do you say we are in better shape now?

Simply because we have been through the internal and domestic focus period. We have established the ground work for memoranda of understanding with the American, the British and now the Canadian regulators. We are beginning to understand what might be the scope of the co-operation and liaison that we could offer to countries that are not really regulated in the way in which we, and our Western counterparts, are. For these reasons we are better equipped now to talk to our Asia-Pacific neighbours.

Did you find similar concerns in the countries you visited?

We visited four countries, all of them quite different. Our Asian neighbours all have different regulatory and governmental imperatives, as well as different social aspirations and histories. There are, nonetheless, some similarities. Giles Tanner and I found some concern in all those countries (except perhaps Japan), just as there is here in Australia, about the threats to national development and community stability from foreign satellite broadcasting.



Peter Webb

In Australia, that concern tends to be about the effects such broadcasting might have on our culture. That's true also of our Asian neighbours, but they are also concerned with the national development role that television in particular plays in their countries. There is concern about the capacity for discontent or unrest that could be fostered by satellite broadcasts. They appreciate that there is perhaps not a lot that can be done about it and they have all embarked on a strategy to counter foreign satellite broadcasting which is reasonably similar in each country.

Indonesia is a little different from Singapore and Malaysia because Indonesia is a satellite provider.

Singapore and Malaysia have tried, as has China, to ban satellite dishes. However these governments appreciate that this is at best a temporary measure. The best approach they can take to this perceived threat is to roll-out television services that are domestically licensed and controlled within their own countries. In this way they can exercise regulatory control over what the people are seeing and hearing and perhaps blunt their appetite for foreign programming. This is seen to be strategy most likely to provide the best response to this worrying issue.

That sounds not unlike our Australian content issue?

We are more concerned with cultural aspects of foreign programming. Our Asian neighbours see the role for television in their countries is to promote national development and national coherence and bringing society on. That is, I think, an extension of a concern that could be called cultural, but it is also more than that.

They see broadcasting as more of an education issue than an entertainment issue?

It is certainly an information tool which they think they have an obligation to use to achieve the best social outcomes.

Do these four countries have regulators with similar powers and functions to those of the ABA?

None of them has a regulator that is statutorily independent of the Executive or of Parliament. There is close and direct continuing Government control of the broadcasting sphere in all of these countries. However, the bureaucrats in those countries are wrestling with the same issues we are and there was a high degree of interest in the independence of the ABA and its role. I detected some evidence of a wish by some government officials to see themselves as more independent than they are at the moment. There are governmental moves, in some of these countries, to move in that direction.

Singapore, I think by the end of the year, will have a new (their first) broadcasting authority. The Indonesians are introducing a new broadcasting Act into their Parliament before the end of this year, which should also liberalise arrangements somewhat.

There is interest in the ABA model, but I don't think there is an interest in slavishly imitating it. In fact to do so, for some of those countries, would be inappropriate, in my view. They need to take their own steps along the path of regulation.

What is the status of broadcasting in those countries? Is it as diverse as it here?

One can't generalise. Indonesia has expanded the number of broadcasting outlets in the past few years quite considerably. There is a strong emphasis on local content but that is married to a realistic appreciation of the fact that it will not be immediately possible, nor does it seem likely to be lawfully regulated for—the government is simply encouraging more local content. Broadcasting is a mixture

Japan is unique—its services are virtually all locally produced with very little foreign content. In that way they resemble the Americans. I think they are prepared to allow some degree of foreign ownership and they will increase that degree—it seems to be about 10 per cent at the moment, but I think they are considering easing that in the future. The Japanese Ministry of Posts and Telecommunications was quite interested in the Australian media rules and in the distinction between ownership and control.

to playing our part in regional activities.

How does the role of APEC fit in?

APEC is certainly at the apex of regional co-operative arrangements at government level. It's a bit early to say whether the umbrella of APEC will extend to some of the areas which interest the Australian broadcasting community.

Is there an expectation that as APEC develops, it will cover areas such as broadcasting?

I think APEC will be initially very focussed on trade issues and trade liberalisation. Broadcasting is a product, of course, and it would be caught by APEC initiatives, but that issue of audio-visual services and international trade is a vexed one and it remains to be seen whether it will be lumped in with general trade considerations. In any event, regional regulatory co-operation is probably best pursued bi-laterally to begin with.

What type of services could the ABA offer?

Services similar to those Colin Knowles [ABA General Manager Planning and Corporate Services] recently provided to the South African regulators. A delegation from the new South African regulator visited us earlier this year, and as a consequence, the ABA was invited to send a senior officer to assist with establishing their authority and, in particular, with radio planning issues. Colin Knowles' assistance was very much appreciated.

A couple of things have happened since our return to Australia. I have been invited by the Indonesian Ministry of Information and the Asian Mass Communication Research and Information Centre (AMIC), a Singaporean based research organisation, to speak at a conference in Jakarta in December. I will be very pleased to accept and build on the relationships we have established. As well, we have had some foreign interest expressed by operators in using our formal opinion service preparatory to them offering their service to local carriers.

Was there any interest in programming issues, for example Australian content and children's television?

There was interest in the way local

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of government and commercially owned services, but the new services are almost entirely commercial and there are quite a number. They involve local business people, of course, and the Indonesians are not disposed to allow foreign ownership into mass media.

Malaysia is also interested in rolling out more services, but has plans to launch its own satellite for broadcasting purposes, amongst other things. There has been more licensing of new services recently and more are proposed.

Singapore has moved to corporatise parts of Singapore Broadcasting Corporation to diversify the provision of services. New services are being provided there and more services are planned.

There has been considerable growth in new services in those countries in recent years. That is, I think, principally a result of the concern that if they do not provide these services in a controlled and domestically regulated fashion, then they will be provided for them by foreign satellite operators.

Are there restrictions of foreign ownership of the media in those four countries?

Indonesia allows none. Singapore provides their new services through arrangements between government and business community with very little foreign ownership. Malaysia is very nationalistic about the provision of its services so the control is dominated by locals.

What issues, apart from regional co-operation, were you looking at?

We were looking to raise the ABA's profile in our neighbouring countries and learn about our region. There is still a considerable amount of work to be done in those countries, and in others. Gareth Grainger has visited the Pacific islands with the same objectives—raising our profile and understanding our neighbours.

We also need to find out at first hand what is the broadcasting environment in these countries and what is the scope, if any, for co-operation and liaison. On that basis, our trip was useful. Japan is embarking on a plan for infrastructure development in the cable area, but I doubt whether there is a lot of scope for mutually useful initiatives between ourselves and Japan. In places like Indonesia and Singapore, but less so with Malaysia, there is real scope for us to offer our services to them, and for them to be able to help us in the international forums operating in this region and which are designed to foster understanding and assist in the development of broadcasting. We visited the Asia-Pacific Broadcasting Union and the Asia-Pacific Institute for Broadcasting Development, both in Kuala Lumpur. In the short life of the ABA we have had very little to do with these forums or with groups like the Asia-Pacific Telecommunity and the International Telecommunications Union. We are now seeking to rectify that with a view

content levels are regulated. In the countries we visited, through one means or another, local content levels are high. Certainly the governments wish to see them stay high or go even higher. In some places, language is a strong imperative for providing local content programs, but there are language services that can be provided to more than one country. There are also some production difficulties with local programming, for example in Singapore with Chinese language, because it is such a small market. They would like to sell their programming to other countries.

A final message?

I think it is clear that although there is a lot of interest in the ABA model of regulation there is no one model appropriate for all circumstances. Each country must find a balanced way to deal with its domestic environment. That is shaped by history, social values of the people, their aspirations and by the state of technological advancement that exists in those countries. All those must go into the mix to determine what is an appropriate level of regulation and what is the best method. It is clear there are any number of regulatory models and no one is intrinsically better than another when circumstances and time are taken into account.

Most discussion seems focussed on television. What about radio?

That's because international issues arise more in the television arena. There are some radio issues, for example, between Australia and Indonesia, there are some interference problems and planning issues which need to be co-ordinated. But they are not major problems between us and there are no major radio problems of which I was made aware during the trip.

Where do we go from here?

We need to continue to build on the relationships we have initiated. Organisations like AMIC, ABU, AIBD are all involved regionally with broadcasting matters. With their help, the ABA can investigate Asia-Pacific markets and garner information about issues of interest to us. I have offered the ABA's services to some of the people and organisations we met and I anticipate that a mutually beneficial, ongoing relationship will be forged. ▢

CONVERGING TELECOMMUNICATIONS AND BROADCASTING IN THE SOUTH PACIFIC

Pacific Island governments, although restricted by the high cost of providing telecommunications services, have a strong interest in boosting the level of local content on their broadcasting services. They are keen to have the issue handled on a country-by-country basis rather than at a regional level.

This is one of the key outcomes observed at the 'Converging of Telecommunications and Broadcasting in the Pacific' seminar by the ABA's General Manager Policy and Programs, Mr Gareth Grainger.

The seminar, held in Suva on 30-31 August and hosted by the South Pacific Forum (SPF) Secretariat, discussed the crucial role played by satellite technology in delivering telecommunications and broadcasting services in the region and its potential for delivering more broadcasting services to scattered island nations of the region.

The seminar was the first hosted by the SPF Secretariat to address both telecommunications and broadcasting issues and was well attended by communications officials from the region. Australian representatives included Mr Grainger and officials from the ABC, Telstra and Optus.

Mr Grainger in a speech delivered to the seminar, pointed out that for much of its first 18 months, the ABA had focussed its attentions on implementing a new regulatory structure and was now beginning to turn its focus outward, recognising that the driving force for change in the communications sector was the breaking down of domestic market boundaries and the emergence of regional and global markets.

Mr Grainger said this was a complex area because market development in the region was uneven and there were widely different national policy priorities and concerns. The ABA's first task was to understand these issues, and to identify some of the real opportunities for developing collaboration as opposed to merely chronicling problems. Forums such as the SPF's broadcasting and telecommunications seminars were needed to enable countries of the Asia-Pacific region to formulate new approaches so that the environment of regulatory and support services can actively promote both our economic and social interdependence.



Gareth Grainger

According to Mr Grainger, building bridges within the region between governments and regulatory agencies and between regulatory agencies and professional support services called for extensive dialogue to establish mutual understanding of the different national cultures, including regulation, and the way these inform legal practices and operating norms.

He said that in Australia we were beginning to recognise that the regulatory challenge was a shared, regional challenge and that as Australia was not a broadcasting island, nor would it be a broadband island, self-regulating in the comfort of its own sovereignty.

Mr Grainger also chaired a session on distribution mechanisms for telecommunications and broadcasting in the region, and participated in a discussion panel on the regulatory issues arising from the collaboration between telecommunications companies and broadcasters.

The Forum Secretariat welcomed the ABA's participation in the seminar and has invited the ABA to continue a dialogue with SPF members on broadcast regulatory matters.

Forum members include Australia, Cook Islands, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu and Western Samoa. ▢