



Program siphoning

SYDNEY: Since the beginning of 1995 the ABA has had to deal with a number of issues related to monitoring and investigating the acquisition of broadcast rights to events contained in the anti-siphoning notice issued by the Minister for Communications and the Arts in July 1994.

The Minister directed the ABA to monitor the acquisition and broadcast by commercial and national broadcasters of rights to events contained in the notice. The ABA is also to consider other events that the Minister might consider specifying in an additional notice. The ABA is to report to the Minister on these matters at six monthly intervals or on such other occasions the ABA thinks appropriate. The first report is due by 22 June 1995.

The ABA is in the process of consulting with commercial and national broadcasters on the regular gathering of information to fulfil the Minister's direction. It is also consulting regularly with Premier Sports Network on the gathering of such information.

The Australian cricket tour of the West Indies and free-to-air coverage of this event received considerable media attention in the period leading up to the first match in the series.

As reported on p. 3, the ABA investigated the acquisition by Australis Media Ltd and by the subscription licensees controlled by it, New World Telecommunications and Star Vision, of rights to broadcast the event. The main issue for the investigation was whether there had been a breach of licence conditions as a result of the acquisition and this depended upon the ABA establishing when the licensees acquired the rights.

As a result of the investigation the ABA was

satisfied that the licensees acquired the rights on 27 May 1994, at the same time as Australis Media Ltd, which was prior to the publication of the Minister's notice. Therefore no breach of licence conditions was involved.

At the same time the question of access to free to air rights to the event became an issue of negotiation between Australis and the Nine Network. The parties were able to reach agreement on price and other conditions, but were not able to agree on the question of live exclusivity. The Nine Network wanted live exclusivity against all forms of television, but Australis did not agree to this, wanting live simulcasting. The issue was resolved when Network Ten agreed to simulcast the event with the Premier Sports Network.

The issue of simulcasting as against live exclusivity will be the subject of further discussion and consultation between the ABA, the Federation of Australian Commercial Television Stations and the Confederation of Australian Subscription Television.

Marketing toys - it's child's play

SYDNEY: On 9 March 1995, Young Media Australia and the New College Institute for Values Research presented a national forum in Sydney to discuss the issue of advertising directed at children and the relationship between toys, cartoons, advertising and children. The forum was sponsored by the ABA and the Federal Bureau of Consumer Affairs.

The *Marketing Toys: It's Child's Play* conference brought together advertisers, broadcasters, community groups, regulators



Brian Johns and Sarah Morton at the ABA staff farewell. Brian Johns has left the ABA to take up his appointment as managing director of the ABC.



News Update

and child development experts with the objective of raising community, government, toy and advertising industry awareness of the impact on children's culture of product related programs and program length commercials.

The conference aimed to draw attention to the developmental needs of children, and to question the ethics of advertising and product related programs directed at children. There were a number of diverse presentations



At the PTC conference:
L-R: Mark Armstrong ,
ABC; Jennifer Hooks,
Film Victoria; Lesely
Osborne ABA; John
Aitken,
Malleasons, Stephen
Jacques.

addressing the issue of the growth of toy related programs, questioning whether they are made to sell products rather than entertain or enhance the quality of children's lives.

Keynote addresses were given by Stephen Kline, Professor of Communications, Simon Fraser University, Vancouver, Canada and Angela Campbell, Professor of Law, Institute for Public Representation, Georgetown University Law Centre, Washington DC.

Professor Kline, author of *Out of the Garden, Toys and Children's Culture in the Age of TV Marketing* addressed the issue 'Making Toys Communicate: Promoting Excitement and Fantasy through Marketing' while Professor Campbell spoke on 'USA Perspectives on the Regulation of Toy TV Tie-ins'.

A number of local participants presented their perspectives on the topic. Presentations covered issues such as cartoon content in children's television, children's play and

television toys, the right to advertise, children's television regulations for programming and advertising, and free speech, jurisprudence and commercial free speech. The forum concluded with a discussion of future approaches to regulation in this area.

PTC Conference

HAWAII: The Pacific Telecommunications Council's (PTC) annual conference provides a forum for the exchange of information by users and providers of communications services, policy makers and academics. The PTC is a non-profit, non-government organisation with world-wide membership, promoting the understanding and use of telecommunications in the Pacific hemisphere.

This year, the ABA participated in the conference for the first time when Lesley Osborne, Director Programs Services Branch, attended 'Convergence: Closing the gap' in Hawaii from 22-25 January.

The emphasis was on the importance of telecommunications in the social and economic development of the Asia Pacific region, the implications of technical developments for the role of governments and regulatory restructuring, financing and the social utility of these developments in individual cultures.

More than one hundred and twenty papers were presented at the conference proceedings, which have been placed in the ABA's Library. Topics covered included local and wide area networks, ATM, ISDN, broadcasting policy, cable television, competition/privatisation, new applications, development issues, distance learning, the International Telecommunications Union, satellites, personal communications systems, and regulatory issues.

Particularly relevant for the ABA were the sessions covering regulatory implications for the services, such as the overview of recently proposed frameworks to project multimedia IPR in Japan by Osamu Furutu of KDD.

Common themes of privatisation, competition and regulatory structures for telecommunications were examined as they related to a number of Asia-Pacific economies. Particularly interesting was the analysis of potential telecommunications opportunities in China created by the development of cable television, presented by Susan Scoenfeld, Advisers for International Media Asia Ltd.

Developments in mobile satellites, and the restructuring and possible privatisation of Intelsat were also key issues. ☐

At the PTC conference,
L-R: Lesley Osborne, ABA;
Tavake Fusimalohi,
Tonga Broadcasting
Commission; Blanche
Salii, Palau National
Communications
Corporation; Taniela
Tufui, Chief Secretary,
Tonga.

