



ABA investigates control of Seven Network



SYDNEY—The ABA announced on 19 April that it is investigating whether Mr Kerry Stokes and/or News Ltd are in breach of any provision of the *Broadcasting Services Act 1992*.

In particular, the ABA will investigate whether interests associated with Mr Kerry Stokes, News Ltd and/or Telstra (through its joint venture with News in Foxtel) are associates in relation to the control of the Seven Network.

This investigation follows a formal complaint by Optus Vision to the ABA, asserting associations that breach the Act.

Under the Act, a person is prohibited from being in a position to exercise control of a commercial television broadcasting licence and an associated newspaper, or more than one commercial television licence, in the same licence area.

A foreign person is prohibited from being in a position to exercise control of a commercial television broadcasting licence.

As part of this investigation, the ABA will be questioning each of the directors of the Seven Network.

The duration of the investigation will depend on the complexity of matters which unfold during the investigation. ▣

ABA sponsors international regulatory roundtable



SYDNEY—The ABA is sponsoring a forum for international broadcasting regulators to discuss issues of mutual interest arising from the globalisation of the broadcasting industry.

The ABA's Chairman, Mr Peter Webb, said that the issues expected to be discussed in the forum would focus initially on information exchanges and research co-operation, but could broaden over time into general regulatory policy.

'As broadcasting, telecommunications and computing converge, traditional domestic market boundaries are breaking down and regional and global markets are emerging in the communications sector. Prudent regulators will seek to shadow these developments,' Mr Webb said.

The forum will be an informal gathering of

regulators which the ABA hopes will have strong representation from the Asia-Pacific region. The formation of the forum follows a meeting on 20 March of international regulators who attended the recent World Summit on Television and Children in Melbourne.

Those agencies initially committed to developing the concept include the South African Independent Broadcasting Authority, the Canadian Radio, Television and Telecommunications Commission and the British Broadcasting Standards Council. Representatives of each agency have agreed to consider a formal memorandum of understanding with the ABA. The ABA and the U.S. Federal Communications Commission signed such an agreement on 13 March this year.

The ABA has met with its regulatory counterparts in Hong Kong, Singapore, Indonesia, Malaysia, Taiwan, Japan, South Africa, the South Pacific, Europe and the Americas over the past 12 months to gain a better understanding of the issues confronting individual countries, markets and regions.

Mr Webb said the way in which Australian broadcasting, telecommunications and competition regulators currently co-operate is a good example of the way links and networks between regulators could work very cost-effectively.

Redefining the markets

The rapid technological changes taking place in the communications industry—the merger between formerly separate industry sectors of broadcasting, telecommunications and computing—present challenges for communications regulators throughout the region and the world.

All these developments reflect the fact that markets are now being redefined around customers, around people communicating, regardless of national geography.

The ABA recognises that in Australia, as elsewhere, industry regulators can no longer operate with a simply domestic agenda although, of course, national regulators will continue to be bound by their own statutory charters.

Accordingly, over the past year the ABA has moved to develop ties with communications regulators in the Asia-Pacific region and South Africa, to strengthen existing links with regulators in Europe and with the Federal Communications Commission in the United States.

The ABA believes that the path to greater