




IN THE NEWS

transmissions occur is the one of the most significant influences on the signal quality.

The ABA is using a range of internationally accepted tools to predict the propagation path of digital television signals. These include well-established and still valid models such as ITU Recommendation 370, and those developed by Bullington and the BBC. They

also include the most recent tools such as CRC-COV: a Canadian propagation model developed specifically to predict the behaviour of digital transmissions.

The use of a digital terrain model and the accurate analysis of the propagation path remain the most important factors in efficient digital planning. 

Draft Digital Terrestrial Television Broadcasting Planning Handbook

The ABA has released for public comment a draft *Digital Terrestrial Television Broadcasting Planning Handbook*. The draft handbook provides information about the technical assumptions used by the ABA in the digital channel planning process as well as the way in which technical assumptions on other matters have been decided.


The purpose of the handbook is threefold:

- to publish an explanation of the general and technical assumptions to which the ABA will have regard when making a DCP under the conversion schemes;
- to publish the technical assumptions to which the ABA must have regard when considering whether a commercial or national television broadcasting service will 'achieve the same level of coverage and potential reception quality as is achieved by

that service in analog mode'. The ABA is required to publish these assumptions under section 6(1) of the commercial and national conversion schemes; and

- to provide a document that explains the technical planning processes involved in planning of new digital television services as well as the conversion of existing analog television services.

The overriding technical planning assumptions are set out in section 2 of the handbook, section 3 discusses the assumptions and methods used in the development of digital channel plans (i.e. channel planning), and section 4 provides the planning parameters and requirements for planning individual services (i.e. service planning).

It should be noted that the handbook is not a legislative instrument, unlike the ABA's *Technical Planning Guidelines*. 



Exposing could have

The ABA's experience with the Trade in Services Protocol to the Australia New Zealand Closer Economic Relations Trade Agreement (CER) shows that trade agreements can have serious consequences for Australia's cultural policies,' Professor David Flint, Chairman of the ABA, said.

In response to concerns about the CER, the Government has said it will amend the *Broadcasting Services Act 1992* to confine foreign access to local content quotas to New Zealand. The Government has also said that Australia's cultural objectives for the audiovisual services sector will be taken into account in negotiating future trade agreements.

The ABA has made a submission to the Department of Foreign Affairs and Trade (DFAT) on next year's World Trade Organisation multilateral trade negotiations. The ABA's submission outlines the possible consequences of the General Agreement on Trade in Services (GATS) for the ABA's functions.

Professor Flint welcomed DFAT's public consultation process and stressed the importance of canvassing issues with all interested parties be-

fore entering international trade commitments that encompass cultural industries.

'The ABA has administrative policies about market access and national treatment in the broadcasting sector which it believes are relevant in the preparation of the Australian offer,' said Professor Flint.

Australia did not include the audiovisual services sector in its offers during the previous round of negotiations, allowing Australia to continue to impose measures that may have a limiting effect on trade. Penalties apply where countries with sectoral commitments under GATS introduce new trade restrictions or increase the burden of existing regulations.

Some countries, particularly the USA, will see Australia's local content requirements, restrictions on foreign television commercials, and foreign investment limits in broadcasting as trade barriers and will pressure Australia to remove these rules.

Professor Flint said the commercial strength of the US film and television industry and the economics of the global market mean that there continues to be a need to safeguard a place for cultural expression on Australian screens.



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broadcasting sector to GATS significant impact

Cost recovery

Imported programs are cheaper than local programs because exporters recover most of their costs in their home markets and only have to recoup the very small cost of supplying a print for export. The low prices of imported programs make it very difficult for local programs to compete. Australia's ability to compete internationally is also limited by the small size of the Australian market and advertising revenue base.

Background

The Department of Foreign Affairs and Trade (DFAT) has invited public comment regarding the development of the World Trade Organisation agenda for multilateral trade negotiations beginning next year. The ABA's submission concerns the treatment of audiovisual services, in particular broadcasting services, within the framework of the GATS. The submission highlights the national interest objectives served by Australia's broadcasting regulations and the effect the operation of the GATS is likely to have on Australia's ability to continue to pursue these objectives,

particularly those which serve cultural goals. With the failure of the EC and other countries to have a cultural exemption clause included in the GATS, there is no special recognition of the cultural character of audiovisual services.

The submission also draws attention to recent Government statements relating to the negotiation of trade agreements that encompass cultural industries. In response to concerns about the CER, the Government announced that it would amend the Broadcasting Services Act to protect the level of Australian content on free-to-air and pay TV and confine foreign access to local content quotas to New Zealand. The Government also said that it would ensure that Australia's cultural objectives for the audiovisual services sector are taken into account in negotiating future trade agreements. The Government stated that it is absolutely committed to the Australian film and television industry, and will continue to regulate as required to achieve cultural objectives for the industry.

Most favoured nation obligation

The Most Favoured Nation (MFN) obligation applies

across all sectors regardless of whether specific commitments are made. The ABA understands that Australia's treaty obligations with New Zealand under the CER Agreement are excluded from the MFN as Article V of GATS permits countries, under certain conditions, to conclude economic integration agree-

administers a number of rules that affect market access and national treatment in broadcasting, including rules for Australian content and limitations on foreign ownership and control of broadcasting services. If Australia were to make commitments in the broadcasting sector, rules such as these may

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ments derogating from MFN where that agreement liberalises trade between the signatories.

The ABA understands that sectoral commitments are undertaken in relation to market access and national treatment. Market access is defined primarily in terms of quantitative restrictions, but also includes measures such as limits on foreign equity participation. National treatment is defined as treatment of foreign services or service suppliers no less favourable than that granted to domestic services or suppliers. The ABA

have to be progressively dismantled.

Australia did not include the audiovisual services sector in its offers during the previous multilateral trade negotiations, reserving the right to impose new regulations or increase the burden of existing rules that may have the effect of limiting trade. Australia will need to consider carefully whether it wishes to continue to have this level of flexibility in regulating broadcasting services, especially in the context of new services emerging with the convergence of broadcasting and communication technologies.