



The ABA has released the report of its investigation into events on the anti-siphoning list.

Report into anti-siphoning released

The ABA released the report of its investigation into events on the anti-siphoning list on 13 August 2001.

Background

When pay TV first commenced, Australia shared the concern of other countries that major television sports events would migrate or be siphoned from the free-to-air networks to pay TV. As a result, anti-siphoning rules were introduced to ensure certain events that had traditionally been available on free-to-air television were not exclusively shown on pay TV, with only subscribers to pay channels having access to siphoned events.

An anti-siphoning list was developed, comprising a number of important sporting events which are guaranteed free-to-air coverage and which are protected from siphoning to pay TV.

ABA investigation

On 22 December 2000, the Minister for Communications,

the Information Economy and the Arts, Senator the Hon. Richard Alston, directed the ABA to investigate which events should be removed from, or added to, the anti-siphoning list and the date or dates that protection should expire for listed events. The ABA provided the report of its investigation to the Minister in June 2001 and the Government is now considering the report.

The ABA received 14 submissions during the investigation, from representatives of the free-to-air and pay TV industry, sporting bodies, broadcast rights management and individuals.

In conducting the investigation, the ABA was directed to have regard to the policy that an event should be included on the list only if the event has been consistently broadcast by free-to-air television broadcasters in the past five years.

The ABA examined the way in which rights to sporting events on the anti-siphoning

list have been used by free-to-air broadcasters in the past five years. It also examined events proposed by submitters for possible inclusion on the anti-siphoning list.

ABA Recommendations

The ABA identified a number of events that have not received consistent free-to-air coverage, for removal from the list. These include: cricket matches in countries other than the United Kingdom, early rounds of the French Open tennis tournament, Australian Men's and Women's Hardcourt Tennis Championships and semi-finals of the Australian National Basketball League.

The ABA has also recommended the FINA World Swimming Championships, Pan Pacific Swimming Championships, and international soccer matches involving Australia for possible inclusion to the list. These events have grown in popularity as television events.

ABA Chairman, Professor David Flint, says the anti-siphoning laws need to be

reviewed in light of digital television.

'The current decade promises to be the most structurally significant for Australian broadcasting with potentially major changes to the television landscape,' said Professor Flint. 'There should be a thorough re-examination of the anti-siphoning legislation, with changes to the scope of the list and its operation decided in the context of the other reviews concerning the implementation of digital television.'

The ABA advocates that any amendments arising from its investigation be implemented as soon as possible and that the new list should run for no more than five years, through to the end of 2006.



The ABA's report, *Investigation into events on the anti-siphoning list*, is available on the ABA's website at www.aba.gov.au