

## Anti-siphoning report released

ACMA has released its fourth interim report to the Minister for Communications, Information Technology and the Arts on the anti-siphoning monitoring investigation into the acquisition and use of broadcast rights to events specified in the anti-siphoning list. The aim of the anti-siphoning list is to prevent the listed events from being 'siphoned off' by pay TV to the detriment of free-to-air viewers.

ACMA's reports on the operation of the anti-siphoning list provide information for the government in implementing its 'use it or lose it' policy, where events will only continue to be protected by the anti-siphoning list where free-to-air broadcasters 'use' the rights.

This report is the most comprehensive to date, providing detailed analysis of eight sport categories and 13 events on the anti-

siphoning list, which received coverage by one or more of the commercial or national free-to-air networks. It covers events that were concluded during the period March to July 2006, as well as data for matches or rounds in listed events that took place during the period but where the event was not concluded. This aims to give a comprehensive picture of events occurring in Australia or overseas in the first months of the Australian 'winter of sport'—March to September.

Events such as the Australian Football League Premiership, the National Rugby League Premiership and the V8 Supercar Championship Series have been included for each round of competition completed in the period March to July 2006. The Wimbledon Lawn Tennis Tournament and the British Open Golf Championship, events concluding in

July 2006, have not been included in this report because these data sets are currently incomplete.

The anti-siphoning provisions in the *Broadcasting Services Act 1992* empower the minister to list, in a formal notice, events that should be available on free-to-air television for viewing by the general public. The minister amended the anti-siphoning list on 11 May 2004 to better reflect the changed names of some events since the introduction of the list in 1994. The new list is contained in the *Broadcasting Services (Events) Notice (No.1) 2004* and took effect from 1 January 2006.

The anti-siphoning list is not a list of events reserved solely for free-to-air television. It does not compel free-to-air broadcasters to acquire the rights to listed events and does not guarantee them exclusive rights to such events, nor does it compel them

to broadcast events to which they hold rights. The right to broadcast listed events can be acquired by pay TV licensees if broadcast rights are held by commercial television licensees (who have the right to televise the event to more than 50 per cent of the Australian population) or by a national television broadcaster (the Australian Broadcasting Corporation or the Special Broadcasting Service). The minister may also remove an event from the anti-siphoning list.

The report is on the ACMA website at [www.acma.gov.au](http://www.acma.gov.au) (go to For the public: Content & advertising > Broadcasting: About broadcasting content controls > TV content & advertising > TV content requirements > Sport (anti siphoning)).

## Mobile phone services on aircraft to be evaluated

ACMA has enabled a limited evaluation to be conducted by Qantas of the operation of GSM mobile phones and GPRS devices on board a commercial aircraft, in one of the first implementations of its kind in the world.

The evaluation is limited to one aircraft for up to 12 months. It will be conducted on one Qantas passenger aircraft operating only on domestic Australian routes, beginning with email and text only, and disabling voice services.

ACMA and other government bodies will consider the potential for permanent regulatory arrangements for the service once the results of the evaluation are known.

The technical viability and

consumer interest in mobile communications on aircraft for use by passengers has increased. By granting the necessary approvals and exemptions to enable the evaluation, ACMA is providing an opportunity for the Australian market to determine the commercial viability of such a system.

The application itself touched on several ACMA responsibilities in the radiocommunications and telecommunications regulatory areas. ACMA granted various approvals and exemptions including a carrier licence and a scientific assigned apparatus licence, and two nominated carrier declarations. In addition, ACMA amended the prohibition on mobile phone jammers.

Proponents of the supply of GSM services on board aircraft have provided ACMA with information about a technical approach designed to facilitate on-board mobile telecommunications in the 1.8 GHz band under a roaming agreement with the mobile phone users' normal carrier.

The 1800 GSM mobile phone service on board aircraft is expected to be comparable to existing terrestrially-based services, capable of providing full duplex voice and text messaging support for GSM phones within the 1800 MHz–1900 MHz GSM frequency band, and GPRS and related services such as picture messaging or email.

However, providing this service

involves the device blocking access to terrestrially-based radiocommunications in the frequency bands 870–960 MHz or 825–845 MHz, which is prohibited. The amendment to the prohibition on mobile phone jammers allows for the operation of devices covered by a scientific assigned apparatus licence issued by ACMA for the purposes of trialling the operation of mobile phones in a particular manner on board aircraft in flight.

For more information about the evaluation, contact ACMA's Regulatory Development Section by email to [radiocommunications.licensing.policy@acma.gov.au](mailto:radiocommunications.licensing.policy@acma.gov.au).