Media Ownership and Pluralism
A Comparative View

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Overview

- Media Ownership and Pluralism

- Media Ownership Rules Inside Europe
  - Germany
  - Norway
  - France
  - UK
  - European Regulations

- Media Ownership Rules Outside Europe
  - USA
  - Australia

Why do we need Pluralism in Media Ownership?

There is **no state** where

- **political and/or economic actors** do not **try to influence** media coverage according to their own interest.

In some countries

- **political parties** and organisations are **allowed to hold broadcasting licences** or run **newspapers** (e. g. France, Finland, Italy, Luxembourg, The Netherlands, Sweden, Estonia, Chech Republic, Poland, Slovenia).

Why do we need Pluralism in Media Ownership?

Concentration of media ownership **may result**

- **in a skewed public discourse**
    - where certain **viewpoints are excluded**
    - or **underrepresented,**
- or **in an abuse of political power**, because
    - **some viewpoints** are **represented**
    - while **others are marginalized.**

Freedom of Expression and Freedom of Information as the Basis of Pluralism – Art. 10 ECHR

- The **European Court of Human Rights** has recently been giving increasing weight to the **social, cultural, political and democratic role of the media**.

- Although this is done in the context of the restrictions under Article 10.2 ECHR.

- The **European Union follows this case law**.

- The **European Court of Justice** considers that, in the light of Article 10.2 of the Convention, there is a compelling **public interest** in the **maintenance of a pluralistic radio and television system**, which justifies restrictions on fundamental freedoms.

Art. 10 ECHR

- Article 10 of the Convention accordingly

  - not only **enshrines an individual right** to media freedom,

  - but also **entails a duty to guarantee**
    - **pluralism** of opinion
    - and **cultural diversity** of the media

  in the interests of a **functioning democracy** and of **freedom of information** for all.

- **Pluralism** is thus a **basic general rule of European media policy**.

Media Concentration

- In the last years, **media concentration** has been an **important issue** in Germany and elsewhere in Europe and Oversea.

- A major **concern** is

  the possible **domination of a number of markets** in the field of

  - **production**
  - and **distribution** of media content

  by **national and international companies.**

Cross Border Concentration

- Traditionally, Europe‘s media companies focused their activities on their **national markets.**
- In the last 10 years a number of media companies have **grown significant business outside their primary markets.**
- At the same time a process of **cross boarder media concentration** has appeared.
- It has given rise to **concerns** that it **will damage the freedom of expression** and **information** in Europe.

Technological Developments What are the concerns?

- **Digital Television**
  - saw **concerns** regarding the potential impact of **„gatekeepers**“ on media pluralism.
  - **Free-to-air broadcasters** were **concerned** that **network and platform operators** who controlled conditional access, electronic program guides and other facilities **would hinder them** from participating in digital television.

- **Internet and WWW**
  - is becoming a **major battleground for all media** (convergence process).
  - This means that the **licensed** media and the **unlicensed media will compete** on the web using a mixture of text, graphics, photographs and video.
  - The key question will be **how to measure pluralism and diversity** in the online context.

Pluralism in the Broadcasting Sector

- Since its beginning **broadcasting** in Germany (and elsewhere in Europe) has undergone an exceptional development.
- **From single**, national radio **channels** with only a few hours of daily broadcasting.
- **to the multi-channel system** of today where radio and television is broadcasted **24 hours a day.**
- From broadcasting as a public monopoly to the present „**dual system**“
  - where **public broadcasters** live side by side and compete with
  - a still growing number of private, **commercial media corporations.**
- **Both** public service broadcasters and commercial broadcasters **contribute to media pluralism.**

How to Regulate the Media Market ?

- By **Special Regulation**,
- through **Competition Regulation,**
- or through **both** ?

- **Competition legislation applies** to the **media sector**, as well as to all other economic sectors in most countries.
  - The **purpose** of competition legislation is to **secure an effective use** of society's resources by creating conditions for real competition.
  - But: **Media pluralism** is **not a primary goal** of competition legislation.

How to Regulate the Media Market ?

- Nevertheless, a number of countries (e. g. Germany) have introduced **special regulations to secure media pluralism.**
  - The main reason behind such special regulations is that **competition legislation** is considered insufficient **to secure media pluralism.**
  - The **purpose of mediaspecific** regulation is **to secure freedom of expression and information**.
  - The **main concern** of media regulation is **to safeguard** the **human and democratic rights of individuals**.

How to Regulate the Media Market ?

- The assessment of **conditions for effective competition** is **not within the scope of media regulation.**

- And likewise **competition authorities** will **not take freedom of expression** and **information** into consideration.

- **Competition regulation does not** give a satisfactory protection **against**
  - **media concentrations** which are contrary to freedom of expression and information,
  - and **the level of media pluralism** which is desirable in a democratic society.

- Therefore there is a **need for both**, sector specific media regulation and competition regulation.

The German Market Situation - Audiovisual

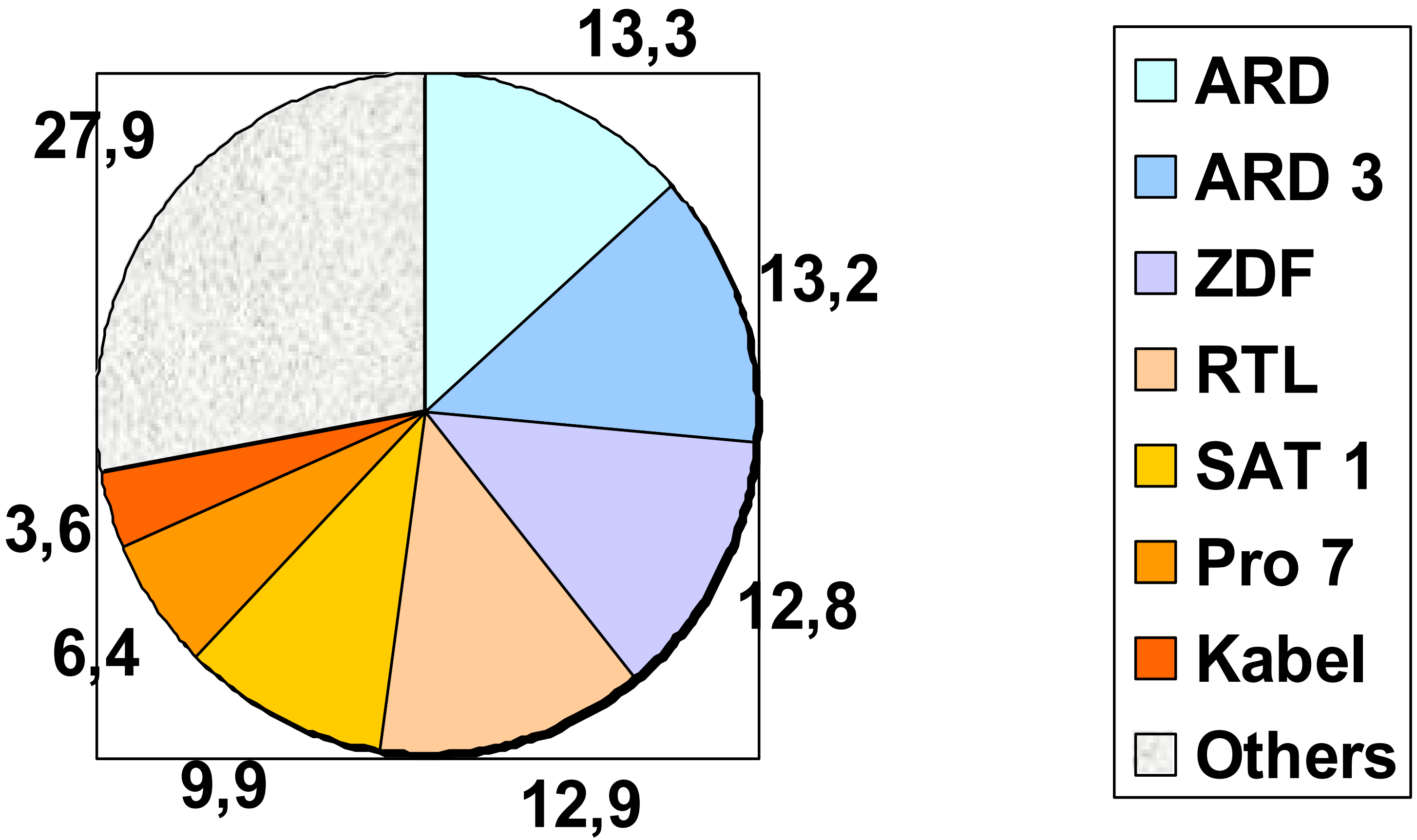
- **Public service broadcaster**: ARD (with regional channels, so called „third channels“) and ZDF, channels: ARD, ARD 3, ZDF
- **Main commercial companies**: RTL Television GmbH, channel, RTL; ProSiebenSAT1 GmbH, channels: SAT 1, Pro 7, Kabel 1

TV audience share October 2007 – Daily share (%):

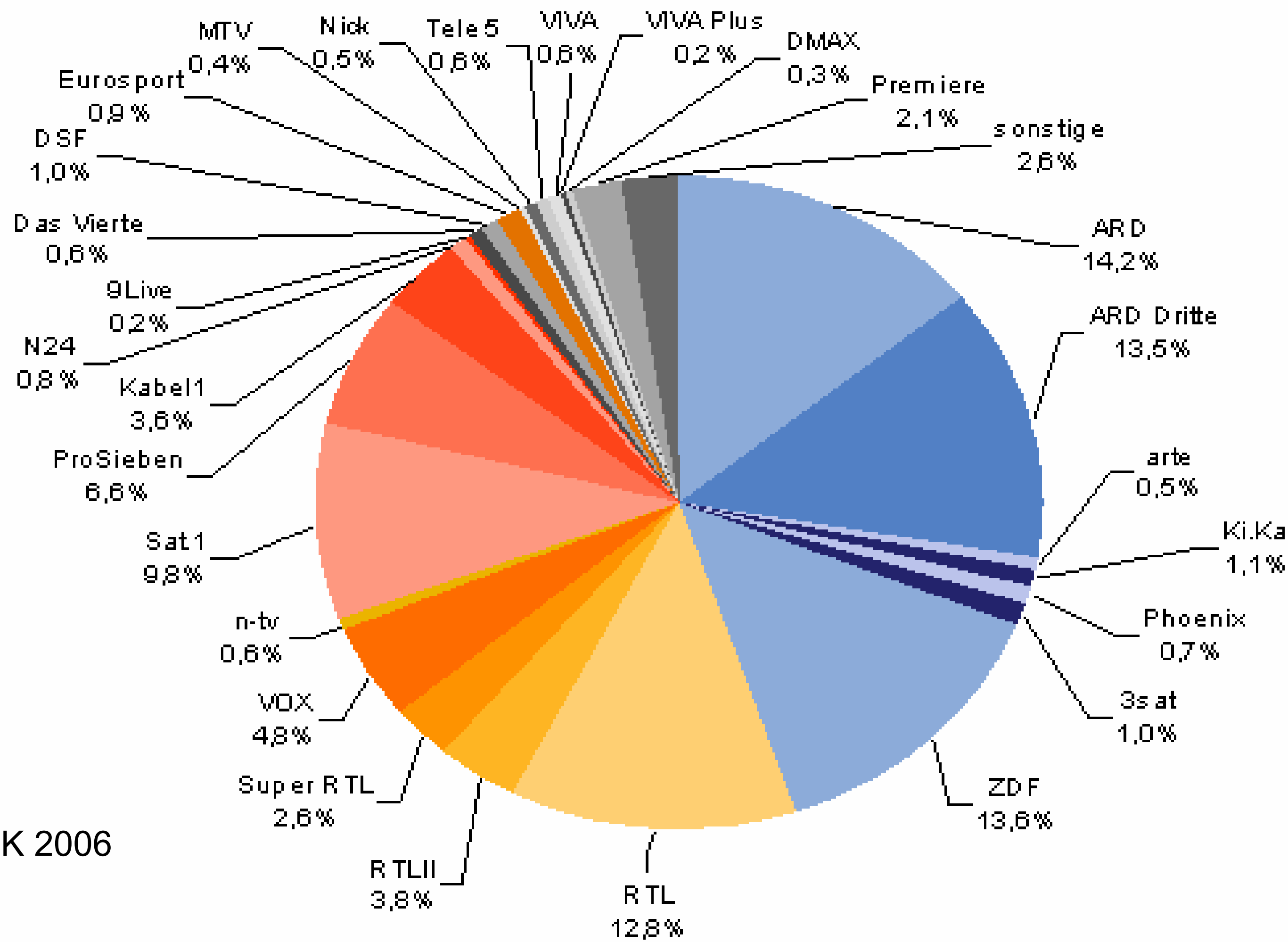
ARD	ARD 3	ZDF	RTL	SAT 1	Pro 7	Kabel 1
13,3	13,2	12,8	12,9	9,9	6,4	3,6

Source: KEK 2007

The German Market Situation - Audiovisual



The German Market Situation - Audiovisual



Source: KEK 2006

The German Market Situation - Print

Top Ten Daily Newspapers (2004)
(to be continued)

Title	Publisher	Circulation	Reader-ship	Cover Price €
1. Bild	Axel Springer	3,867	12,330	0,45
2. WAZ Mediengruppe	Zeitungsgruppe WAZ	1,001	2,830	0,95
3. Zeitungsgruppe Köln	M.Dumont-Schauberg Expedition der Kölnischen Zeitung	628	1,120	0,90
4. Süddeutsche Zeitung	Süddeutsche Zeitung	442	1,110	1,50
5. Rheinische Post	Rheinisch-Bergische Druckerei und Verlagsgesellschaft	405	1,220	0,70

Source: World Association of Newspaper, World Press Trends 2005

The German Market Situation - Print

Top Ten Daily Newspapers (2004)
(continued)

Title	Publisher	Circulation	Readership	Cover Price €
6. Zeitungsgruppe Thüringen	Zeitungsgruppe Thüringen Verwaltungsgesellschaft	398	1,130	0,70
7. Frankfurter Allgemeine Zeitung	Verlag Frankfurter Allgemeine Zeitung	380	860	1,50
8. fp Freie Presse mit Döbelner Anzeiger	Freie Presse Chemnitzer Verlag und Druck	358	960	0,90
9. Augsburger Allgemeine/ Allgäuer Zeitung	Presse-Druck und Verlagshaus	353	9990	1,00
10. Nürnberger Nachrichten	Mitteldeutsches Druck- und Verlagshaus	310	880	1,00

Source: World Association of Newspaper, World Press Trends 2005

The German Market Situation - Print

Top Ten Publishing Companies (2004)

Source: World Association of Newspaper, World Press Trends 2005	Total Circulation
1. Axel Springer	5,377,800
2. Verlagsgruppe WAZ	1,461,000
3. Verlagsgruppe Stuttgarter Zeitung/Die Rheinpfalz/Südwestpresse	1,155,400
4. Verlagsgruppe Münchener Zeitungsverlag/Zeitungsverlag tz München/Westfälischer Anzeiger/Dirk Ippen	1,001,600
5. Georg von Holtzbrinck	979,100
6. Verlagsgruppe M.Dumont-Schauberg	933,500
7. Gruner + Jahr	831,800
8. Verlagsgruppe Madsack	743,100
9. Verlagsgruppe Frankfurter Allgemeine Zeitung	675,200
10. Verlagsgruppe Süddeutscher Verlag	656,000

Freedom of Expression and Freedom of Information - Art. 5 GG

- In Germany **Art 5** of the **German Constitution** provides **Freedom of Expression** and **Freedom of Information**.
- Free reporting by **broadcast** is explicitly protected.
- The **Federal Constitutional Court** had to give meaning in a long line of cases to this provision
  - It has developed **important principles**
  - **They refuse** that electronic media offer comprehensive information
  - and **reflect the diversity** of the existing spectrum of opinions

The German Rules on Media Ownership Powers of Regulation

- The **powers of regulation** for **broadcasting** under the German Constitution are given **exclusively to the states** (Länder).

- The **core law of the Federal Constitutional Court** defines specific **obligations to be observed** by state legislation concerning broadcast.
  - The **regulation** is under a positive duty to enact rules ensuring that television and radio **will serve the purpose to promote the free formation**
    - of **individual opinion**
    - and **public opinion.**
  - This aim is promoted by a **standard of „balanced diversity“** of **all broadcast programs.**
  - Media law has to establish a framework **which will allow different viewpoints to gain access to the medium.**

The German Rules on Media Ownership Powers of Regulation

- **The Federal Constitutional Court (BVerfG) decided that Art. 5 GG demands:**

- **Safeguards** to be established
  - against **concentration of ownership** in the broadcasting industry
  - and against **accumulation of power** to dominate public opinion.

- The **States** (Länder) are therefore **obliged**
  - to **provide for mechanisms** which will contain the control of media concentration,
  - and they have to do this in a way which will **prevent the emergence of power to dominate communications**.

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The German Rules on Media Ownership

- The German regulation is provided by both:
  - **Specific Regulation**
    - which deals exclusively with **nationwide broadcasting**.
    - Its **aim** is to **prevent** obtaining a predominant **influence over public opinion.**
  - and **General Competition Rules**
    - which deal with both, print **and broadcasting industries**.
    - their **aim** is to **prevent** a predominant **market power** in media markets.

The German Rules on Media Ownership

Ownership Restriction: Nationwide Television

- **Limits are based** on **audience share** in order to prevent exercise of dominant opinion forming power (§ 26 Rundfunkstaatsvertrag):

  - If a **market share of 30 %** of the **national tv market** is reached in a given year (**30 Percent Rule**),

  or

  - If a **market share of 25 %** of the **national tv market** in a given year is attained **and** the company holds a **dominant position in a media related market** (**25 Percent Rule**).

The German Rules on Media Ownership

Ownership Restriction: Print

- Merger control Act against Restraints of Competition (Pressefusionsgesetz).

- **Filing** of the Federal Cartel Office (BKartA) is required if at least one party amounts **25 million Euro turnover in the last business** year.

- **But: New Bagatellklausel**: purchases of small publishers (turnover up to **2 Mio € possible**).

- In cases of mergers of **printed media** publishers **a maximum share of only 24.5 %** is permitted.

The German Rules on Media Ownership

Cross Ownership Restrictions

- **Interdiction** for companies **to exercise a predominant impact on public opinion**,

  - If a company reaches an **audience share of 25 %** of the national tv market **and** holds a **dominant position in a related media market**

    or
  - an overall assessment of its activities in **TV and media related markets** suggest an influence equivalent to a company with an **audience share of 30 %.**

The German Rules on Cross Media Ownership The Springer-Deal

- **The Springer Deal in 2006**

The Axel Springer AG plans to take over the private broadcaster Pro7 Sat1 Media AG (a 3.5 Billion Euro Merger) were rejected by the German authorities.

Springer owns „Bild", the top 1 German tabloid (daily circulation: 3.867 Million newspapers, daily readership: 12.330 Million).

- **Cross media ownership restrictions applied.**
- Germanys watchdog on **media concentration** the so called Commission to Investigate Media Concentration (**KEK**), decided that the merger would give Springer

  - a controlling influence

  - and **a dominant power of opinion**.

The German Rules on Cross Media Ownership The Springer-Deal

- The KEK based its decision on the **sector specific regulation** (§ 26 Rundfunkstaatsvertrag).

- The **audience share** for ProSiebenSat.1 Media AG (in the reference period August 2004-July 2005) was stated with **22.06 %**

- The assumption described in Art. 26 par. 2 RStV **(the 30 %-Rule or the 25 %-Rule) did not apply.**

- **But**, the KEK took other **media related markets** into account.

The German Rules on Cross Media Ownership The Springer-Deal

- **These** other **media related markets are relevant**
  - if they are either **significant to the formation of public opinion** ("public markets")
  - **or** likely to **strengthen the influence** acquired through television.
  - It also depends on the extent to which the **market is comparable** with national television ("relationship").
  - The **degree of relationship** depends on the comparable features of the service that have the **potential to influence public opinion**.
  - According to the case-law of the Federal Constitutional Court, these are "primarily" **suggestive power, breadth of impact and actuality**.

The German Rules on Cross Media Ownership The Springer-Deal

- The **KEK** then **examined** whether the combination of television and other media activities would give a **controlling influence**.
- **Daily newspapers**, in the KEK's view, form a particularly closely **media related market**.
- In order to calculate audience share, the KEK applies a "**conversion factor**" of **two-thirds** of television viewer ratings.
- The **“Bild” newspaper's** 26 % share in the overall daily press market is therefore converted into an **audience share of 17 %.**
- **Other shareholdings** of Axel Springer AG which are particularly relevant to the investigation are in the **markets for programme guides, public interest magazines, radio and online content**. They **were rated** with **3 %.**
- **In total**, the company's cumulative **audience share** was calculated at **42 %, therefore the 25 Percent Rule applied.**

The German Rules on Cross Media Ownership The Springer-Deal

- The **Springer-Deal** was also **prohibited by the antitrust office**.

- Germany’s watchdog on **market concentration**, the Federal Cartel Office (BKartA), **rejected** also the merger according to **general competition rules.**

- **Main reason** was: After the takeover Springer would have **market power** on the **advertising market** for both
  - the **Television** market
  - and the **print** market (esp. for daily newspapers).

The Norwegian Rules on Media Ownership

Media concentrations are regulated in **Norway** in the **Media Ownership Act of 1997**

- The **purpose** of the Act is to promote freedom of expression, genuine opportunities to express one's opinions and a comprehensive range of media.
- The Media Ownership Authority is empowered to intervene against acquisitions of ownership in newspapers or broadcasting enterprises if the acquirer alone or in co-operation with others has or gains a **significant ownership position** in the national, regional or local media market, and this is contrary to the purpose of the Act.
- A person who controls **1/3 of the national market** is considered to have a **significant ownership interest**.

The Norwegian Rules on Media Ownership

- In **regional** and **local media markets** there is no stipulated threshold, and each acquisition is evaluated in relation to the dominance in the market and in view of the purpose of the Act.
- There are **no** specific **rules on cross-ownership**.
- The former government published a **White Paper on media policy**, in which it invited the Parliament to discuss threshold values and the possible application of the Act to (“new”) electronic media, co-operation agreements and vertical integration.
- In its deliberations, the Parliament also considered **liberalisation of the media ownership rules**.

The French Market Situation - Audiovisual

- **Public service broadcaster**: France Television, channels: France 2, France 3, France 4 and France 5, France 5 shares the terrestrial frequency with the Franco-German cultural channel Arte.
- **Main commercial operators**: TF 1 S.A., channel: TF1; Métropole Télévision, channel: M6
- The Group Canal+ has a total of about 8.4 million subscribers.

TV audience share 2004 – Daily share (%):

France 2	France 3	France 5	Arte	TF1	M6	Canal+
20.5	15.2	3	2	31.8	12.5	3.8

Source: European Audiovisual Observatory, Yearbook 2005

The French Market Situation - Print

Top Ten Daily Newspapers (2004)

Title	Circulation	Readership
1. Ouest France	783	2,230
2. Le Monde	381	2,073
3. L' Equipe	369	2,459
4. Le Parisien	353	1,718
5. Le Figaro	346	1,373
6. Sud Ouest	326	1,281
7. La Voix du Nord	307	1,082
8. Nice Matin	258	757
9. Le Dauphiné Libéré	256	838
10. Le Progrès	249	-

Source: World Association of Newspaper, World Press Trends 2005

The French Rules on Media Ownership

Ownership Restriction: Nationwide Television

Subject to **three limits** based on:

- Capital share, number of licence (together with audience share), participation in more companies in the same sector:
- Physical or legal person **no more than 49 % (national TV)** and **33 % (local TV)** of the capital or voting rights in a station whose average annual audience exceeds 2.5 % of the total audience.
- If a person **holds 2 stations** he **cannot hold more than 15 %** in the second.
- If a person **owns 3 stations** he **cannot hold more than 5 %** in the third.
- **Terrestrial TV**: not more than **one** (analogue) or **7** (digital) stations.
- **Satellite TV**: not more than **two** licences.

The French Rules on Media Ownership

Ownership Restriction: Print

- Companies are **not allowed** to acquire a new newspaper if the acquisition boosts their **total daily circulation to over 30 %** nationally.

The French Rules on Media Ownership

Cross ownership restrictions

- An operator **may not be involved** in **more than two** of the following situations:
  - TV audience of 4 million
  - radio audience of 30 million
  - cable audience of 6 million
  - 20 % share of national daily newspaper

The French Rules on Media Ownership

Foreign ownership restrictions Print and TV

- **Non-EU investment is limited** to a **share of 20 %**

  - of a capital of a **daily newspaper**
  - or of a **terrestrial broadcasting** in French language

Restrictions for political parties and organisations

- No provisions

The British Market Situation - Audiovisual

- **Public service broadcasters**: British Broadcasting Corporation BBC; **channels:** two national free-to-air channels, BBC 1 and BBC 2 (with several regional versions) and a range of free digital channels (available on digital terrestrial and other platforms) including BBC 3, a youth channel, BBC 4, BBC News 24. BBC. The principle source of income for the BBC is the licence fee because it has no advertising revenue but it does earn additional income through the distribution of television programes, publishing, and videos via BBC Worldwide.

- **Main commercial companies**: ITV Network Ltd, **ITV** runs now more than ten channels after the merger between Carlton and Granada. One of the other major channels is Channel 4. Channel 5 is the newest arrival on the terrestrial television network.

The British Market Situation - Audiovisual

Audience share of main channels 2004 – Daily share (%):

BBC 1	BBC 2	C4	ITV	ITV 2	Five	Sky one	Sky sports 1
24.7	10	9.6	22.8	1.1	6.6	1.5	1.1

Source: European Audiovisual Observatory, Yearbook 2005

The British Market Situation - Press

Top Ten Daily Newspapers (2004)

Title	Publisher	Circulation (000)	Reader-ship (000)	Cover Price £
1. The Sun	News International	2.419	8.869	0.30
2. The Daily Mail	Associated Newspapers	2.093	5.665	0.40
3. Daily Mirror	Trinity Mirror	1.597	4.734	0.35
4. Daily Express	Express Newspapers	720	2.089	0.40
5. The Daily Telegraph	Telegraph Group	483	2.218	0.60
6. Daily Star	Express Newspapers	705	1.935	0.35
7. The Times	News International	485	1.629	0.50
8. The Guardian	Guardian Newspaper	288	1.072	0.60
9. The Independent	Independent Newspapers	179	628	0.60
10. Financial Times	Financial Times	101	495	1.00

Source: World Association of Newspaper, World Press Trends 2005)

The British Market Situation - Press

Top Ten Publishing Companies (2004)

1.	News International
2.	Daily Mail and General Trust
3.	Trinity Mirror
4.	Northern & Shell
5.	Barclay Brothers
6.	Guardian Media Group
7.	Independent Newspapers
8.	Pearson
9.	Gannett
10.	Sport Newspapers

Source: World Association of Newspaper, World Press Trends 2005

The British Rules on Media Ownership Communications Act 2003

Ownership Restriction: Nationwide Television

- Secretary of State **can intervene** in media mergers that raise public interest considerations.

- Secretary of State **can ask** OFCOM and, if necessary, the Competition Commission **to investigate** any merger that could have a damaging effect on plurality, diversity or standards.

- Ownership restriction **prevents** unacceptable levels of **cross media dominance** and ensures a minimum level of plurality.

The British Rules on Media Ownership

Ownership Restriction: Print

- Under the **Communications Act 2003** any cross media ownership activity will trigger **a public interest test** that aims to ensure:

  - plurality of ownership,
  - economic benefits,
  - no detrimental effect to the market.

The British Rules on Media Ownership

Cross ownership restrictions

- In every **local area of the UK** there must be **at last three** separate **commercial media companies** providing newspapers, radio, and terrestrial television.
- **Nobody** controlling more than 20 % of national newspaper circulation **may own more than 20 % of an ITV** licence.
- **Nobody** owning a regional ITV licence **may control more than 20 % of the newspaper market** in that region.
- **Nobody** owning a regional ITV licence **may own a local radio station with more than 45 % coverage** of the same area.
- **Nobody** owning a local newspaper **may own a local radio station where the newapaper accounts for more than 50 % of the circulation** within the station‘s coverage area.

The British Rules on Media Ownership

Foreign ownership restrictions Print and TV

- No restrictions

Restrictions for political parties and organisations

- Political organizations are **not allowed** to hold broadcasting licences of any kind

European Media Pluralism as a next step?

Council of Europe

- The **Council of Europe** presented in 2002 a **Study on Media Diversity in Europe** that gave the recommendation for a new **European Convention on Cultural Diversity**.
  - Taking into account the specificities of each country, **sector-specific rules should be designed** to safeguard and ensure plurality and diversity in the media within Europe.
  - General **competition law** can only have a **complementary** role as regards concentration in the media sector.

European Media Pluralism as a next step?

European Commission

- The **European Commission** has launched **a three-step approach** (the so called Reding-Wallström-Plan) for advancing the debate on media pluralism in the European Union
  - A **Commission Staff Working Paper** on Media Plurarism from 2006 outlines effords to promote pluralism within the European Union
  - An **independent study** on media Pluralism in EU is expected for the End of 2007
  - Commission Communication will take place in 2008

USA
The FCC Media Ownership Rules

The **Federal Communications Commission media ownership rules** (modified 2003) are as follows:

- A broadcast network can own and operate local broadcast stations that reach, in total, **up to 45 %** of **U.S. television households** (**National Television Ownership Rule**). The old limit was 35 %.

- Both newspaper-Broadcast **cross-ownership** and television-radio cross-ownership are:
  – **unrestricted** in markets with **9 or more** television stations
  – **allowed subject to certain restrictions** in markets with **between 4 and 8** television stations;
  – and **prohibited** in markets with **3 or fewer** television stations.

USA
The FCC Media Ownership Rules

- A company can own
  - **three television stations** in markets **with 18 or more** tv stations,
  - and **two television stations** in markets with **5 or more** tv stations,

  but in either case only **one of the two stations can be among the top four** in ratings at time of purchase.

- The number of **radio stations** that a company can own in a **local market**, varies according to the total number of stations in the market:
  - market with **45 or more**: a party may own **8 radio stations**
  - market with between **30 and 44**: a party may own **7 radio stations**
  - market with between **15 and 23**: a party may own **6 radio stations**
  - market with between **14 or fewer**: a party may own **5 radio stations**

Australia

The former law:

- The last media ownership reforms by the **Hawke government in 1986-7** attempted to limit the amount of cross-media ownership by allowing owners to be

  - either 'princes of print'

  - or 'queens of screen'

  (in then-Treasurer Paul Keating's memorable words).

- This meant that while media owners could dominate any single market in television, radio or print, they **had to restrict themselves to one medium per market.**

Australia

- Meanwhile foreign ownership rules **put a cap of 15% on the amount of shares** a single foreign shareholder could own in an Australian media company, with **a cap of 20% on the total amount of foreign ownership.**
- During the intervening decades since the Hawke reforms the twin pressures of globalization and digital convergence have put more and more strain on this arrangement.
- **Media users can no longer be neatly categorised into readers, viewers or listeners.** On the web they access all-media services from a global marketplace. For commercial media proprietors the way to maximise their investment is to create integrated networks which can deliver cross-platform content to as wide an audience as possible.
- The challenge for Australia is to ensure localism and diversity while also keeping international predators at bay.

Australia

The new Law:

- In October 2006 the Federal Australian Parliament passed **amendments to the Broadcasting Services Act 1992** which will bring about major changes to the pattern of media ownership in Australia.

- The new amendments which will **come into force** during the period **2007-2009** aim to remove some of the restrictions on cross-media ownership while maintaining the diversity of local services and ensuring Australian media remain under Australian control.

- The main points are:

Australia

Cross-Media Rules

- Under the **‘5/4 Rule’** cross-media mergers will be allowed as long as **five independent voices** remain in **metropolitan markets** and **four remain in regional markets**.

  The Australian Competition and Consumer Commission will ensure prospective mergers are not a threat to media diversity.

- Under the **‘2 out of 3 rule**’ proprietors will be **restricted to owning two out of three media outlets** to prevent a radio/television/print monopoly in any commercial radio licence area.

Australia

Local Content

- There will be **minimum standards for local content** in **regional radio markets** to ensure delivery of local news, community service announcements and emergency warnings.

- There will be legislation to ensure **local content levels on regional television** in all states.

Australia

Foreign Ownership

- Under the new legislation the foreign ownership limits will be relaxed (though the **level of the future cap is still to be decided**).
- Whatever the cap the **aim is** that the current laws covering foreign investments will continue to provide the **Federal Government** with the capacity to **veto** any foreign investment deemed to be contrary to the national interest.

Australia

Planning for Digital Television

- The government will be creating a **Digital Action Plan** to encourage the uptake of digital television in time for the planned switch-off of analogue, now planned for 2012. Two new digital channels will be established for new digital services (for example mobile television).

- The government **will allow existing television operators to multi-channel, co-broadcasting analogue and digital services** up to the time of the analogue switch-off. The ABC and the SBS will be able to use their existing digital television services will be allowed to extend the range of programs they can show.

Thank you for your attention!

Questions?