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Australian Government

Department of Communications and the Arts

Mr Jason Lange  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet  
GPO Box 5600  
CANBERRA ACT 2601

Dear Mr Lange

***Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)***

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)*, which, as per the *Legislation Act 2003*, has been scheduled to sunset on 1 October 2019. Following a review and consultation with relevant stakeholders, the instrument is to be remade without significant amendment.

The Department of Communications and the Arts certifies that the *Determination under paragraph (c) of the definition of “broadcasting service” (No. 1 of 2000)* is operating effectively and efficiently and that therefore a Regulation Impact Statement is not required for this Ministerial determination to be remade.

The assessment that the determination is operating effectively and efficiently has been informed by a consultation process over a 30 day period during July and August 2019. The consultation paper provided information on the determination and outlined a proposed position of remaking the sunseting Determination without significant amendment but for a shorter period of three years. The consultation process included responses from 23 stakeholders across a range of industry sectors (Ten Network, Seven West Media, Nine Entertainment, Prime Media Group, Commercial Radio Australia, COAG Education Council, Australian Copyright Council, ABC, SBS, DIGI, Google, Screenrights, PPCA, APRA/AMCOS, Foxtel, Australia New Zealand Screen Association, Screen Producers Australia (SPA), Telstra, Optus, Netflix, Stan, Amazon and Microsoft).

All but one of the stakeholders agreed to a remake of the sunseting determination.

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I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Andrew Verdon on ph 6271 1213 or email [Andrew.verdon@communications.gov.au](mailto:Andrew.verdon@communications.gov.au)

Yours sincerely



Richard Eccles  
Deputy Secretary

16 September 2019