



Special Broadcasting Service

Locked Bag 028
Crows Nest NSW 1585 Australia
14 Herbert Street
Artarmon NSW 2064 Australia
T +61 (0) 2 9430 2828
W sbs.com.au
#SBSAustralia

8 February 2019

Gavin Jones
Director
Adjudication
ACCC
23 Marcus Clarke Street
Canberra ACT 2601

Dear Mr Jones,

Australasian Performing Right Association Ltd (APRA) application for revocation of authorisations A91367 – 191375 and substitution of new authorisation A1000433

Thank you for inviting SBS to comment on APRA's application for re-authorisation.

SBS is Australia's multicultural public broadcaster. In order to perform its key charter activities under the *Special Broadcasting Service Act 1991 (Cth)*, SBS requires a range of music licences, including those currently available from APRA. SBS has had long-standing agreements in place with APRA which for the most part, fulfil SBS's requirements. As SBS is required to fulfil certain purposes under the Act, any constraints under APRA's model can prove challenging for SBS. For example, it is a principal function of SBS to provide digital media services to inform, educate and entertain all Australians. In doing so, SBS publishes content across a range of platforms, some of which are not covered by SBS's APRA licences.

SBS broadly supports the reauthorisation of APRA and believes there are significant public benefits in the reauthorisation for broadcasters like SBS. However, SBS notes that APRA's licensing framework must give due consideration to the constantly changing media rights environment in order to maximise that public benefit. As such, SBS believes that the output arrangements of APRA should be subject to a consultative process with licensees to ensure its licences continue to be fit for purpose as the industry rapidly evolves.

SBS would like to be informed of the progress of this application at the draft and final determination stages.

Sincerely,

Lucinda Edwards
Legal Counsel