

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good morning,

Before we start I would ask you to not release my name or location, however I will include them for the sake of this email.

I am writing to you from my desk at [REDACTED]. I have recently heard the news that there is to be a proposed News Media Bargaining Code put through parliament.

After reviewing it in its current form I am completely against it. There needs to be freedom in the media, of all sorts, and not an advantage given to any one form. If one form perceives themselves as inadequate for any reason and feels the need for financial advantage or protection / assistance by way of law, then that form of media should be heavily scrutinized as to why they feel this way.

Yes, a Policeman asking for freedom of the media. This is real.

The danger to the common citizen of Australia is that print and televised media will become even more dominant. We live in a world of unprecedented freedom of the media, in terms of online and social media, and to give this away with the proposed drafting would be nothing but criminal in my opinion. We need people to have the freedom to search for and share information unhindered, so long as that information is lawful.

It is my concern that the proposed legislation is nothing but an effort to artificially limit the impact that social and online media are having on conventional print and televised media. To be fair, they have essentially lost a generation of viewers – no-one I know under 50 still regularly watches television or reads print media as they get all they want and need from their smartphone, tablet, laptop or desktop PC. Many people in that arbitrary age bracket have also embraced online and social media for obvious reasons.

Google and Youtube, two of the biggest online presences for news media, are at threat under this law. Facebook is as well. They are very large content providers and the risk is that they will simply cease to be accessible in Australia. That is a worst case scenario. At best, Australians will lose access to some functions and be restricted in others. Individual content makers will suffer in terms of ability access royalties and stay in the game ahead of multi-billion-dollar news empires who have their own ends at heart and not those of its users.

I do not agree with the legislation in its current form, and do not feel it needs to be legislated in any form.

We do not need yet another layer of legislation to restrict or enable certain parties when it comes to information. As a Police officer I find it offensive that such legislation would be imposed. The media needs to be as free as possible with regards to its operation.

Again, I do not agree with the legislation.

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To whom it may concern,

I write regarding the "Australia's News Media Bargaining Code".

Whilst I personally dislike and don't use Facebook at all, and equally dislike and seldom use Google properties, I do not condone the proposed code. The code seems highly tailored to target Google and Facebook, and engage the government as the muscle to support Australian news organisations' fleecing these goliaths.

Google flourished for one main reason - it had a fairly good idea of what was the best resource when you searched for something. The user then finds the article they are interested in and visits the page.

> The code seeks to address the fundamental bargaining power imbalance between Australian news media businesses and major digital platforms

There is no bargaining at all required. I don't know how Facebook works but for Google at least, it's simple: If the news media business wants to be included, link to your article(s), get linked to, register with Google (if that's still a thing). If they do not, add a `robots.txt` file telling Google not to index the page(s). It's an even playing field right now, where anyone can participate and no one has to pay. Google's Ads are always going to be filled with garbage by the highest bidder but that has (or should have) nothing to do with the normal search results. If you were to implement a code, it should perhaps be that they cannot give priority to results that are associated with paid adverts though I believe this is the case already as otherwise, the quality of the search results would be greatly reduced leading eventually to user extinction.

Please by all means tax Google and Facebook lots of money in general, for the good of the Australian people, but don't do it so surgically and certainly don't give the money to the News organisations.

If this email is made public, please exclude my surname and phone number.

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Dear ACCC,

I have reviewed the proposed ACCC News Bargaining Code and I'm against the terms.

Advertisement traffic should not be in favour of big news corporations and should not interfere with my ability to see articles, discussions, news or information from other countries. That interferes with our freedom of speech, freedom of information and ability to be informed with the outside world. This is wrong, un-Australian and very communist.

Smaller businesses should have a fair go, if we favour bigger businesses and news corporations at the expense of smaller ones we won't be using capitalism to its potential and that will discourage innovation and ambition in the Australian economy.

Further more I do not want big news corporations to have more control over the usage and safety of our private data and information.

Australia is my home and I'll never call any other place home. In this country I have the right to a fair go, I have equal opportunities and I have the ability to communicate with the outside world. This proposed legislation will affect what I have mentioned above.

If you care about the future of your country I urge you to reconsider and reject this legislation.

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To Whom it May Concern,

I am writing to express my displeasure over the proposed Youtube Bill.

News Media doesn't have the right to monopolise streaming media, they receive revenue from other sources and are not entitled to earn 60 times more than other Youtube content creators. Nor do they have the right to limit where we get our information on current events, if they want more of us watching and reading their media, perhaps they should work more on their product and worry less about not being able to manipulate our opinion. We don't want to be told what to think, we want to be told accurately what is actually going on and as the News Media picks a perspective and runs with it, we're going to seek out others and then make an informed opinion from the information we've gathered.

I also feel that this Bill somewhat infringes on our right to Free Speech, as a lot of smaller creators will not be able to afford to continue doing Youtube videos if the News Media is getting paid 60 times what everyone else is, which effectively leaves about 40% of Add revenue to be split amongst the rest of Australian Youtubers, that is so damn money hungry and greedy of the News Media. I am honestly shocked that they would demand more money from Youtube and in the process cause many Australian's to lose their income, their primary way of paying to live, considering they're so damn harsh towards those who are unemployed, don't know how many times I've seen the News Media call unemployed people Dole Bludgers when most are desperately searching for a job.

This bill makes the News Media look like a spoilt brat, the way they're demanding things from Youtube that they honestly have no right to demand, it is so reminiscent of a spoilt child not getting their way and throwing a tantrum; Veruca Salt comes to mind.

So in conclusion, it is time big businesses let the smaller ones grow, they don't have enough jobs to employ the whole of Australia and Youtube is away some of us can be our own boss and not rely on Centrelink and the Tax Payers money, allowing the News Media to be paid 60 times the amount of the rest of Australian Youtubers is going to cause more unemployment. Passing this bill allows them to be lazy and monopolise something that was created with the purpose of giving everyone and anyone the ability to upload a video and share their voice and opinion on things, it was never meant to be tailored to News Media, it is for the people and they have no right proposing this bill.

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Dear Australian Competition & Consumer Commission,

My concerns with the News Media Bargaining Code are as follows:

- There is already so much hatred and mis-information that gets promoted from the likes of Sky News in Australia & Fox News in USA; Google provides diversity and ability for everyday Australians to do proper research. Please do not let powerful medias such as

Rupert Murdoch media solely dictate what Australians can and cannot see in digital platforms due to following reasons:

- An obligation for Google to share details about the algorithm changes that would provide an unfair advantage to large news businesses and help them feature more prominently in organic search results at the expense of other businesses, creators and website owners.
- An obligation for Google to tell news media businesses what user data Google collects, what data it supplies to them, and how they “can gain access to the data”, with a lack of detail on safeguards for demands from news businesses for access to sensitive data.
- An arbitration process that seems to ignore the real-world value Google provides to news publishers and opens up to enormous and unreasonable demands, which may have an impact on the free services that Google provides to everyday Australians like myself.

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To Whom it May Concern,

I have reviewed the News Media and Digital Platforms Mandatory Bargaining Code draft legislation and am fundamentally opposed to elements of the draft as it currently stands. It appears that the legislation lumps two separate issues into one; these are:

- Information share (re user data, algorithms) between digital platforms and News/Media corporations
- Remuneration issues

I am fundamentally opposed to the sharing of user data and algorithm details with News/Media corporations as detailed in the proposed legislation. This legislation has been presented in a way that appears underhanded - I would recommend dealing with the issues listed above separately to allow clear intentions and requirements.

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To whom it may concern,

I write to you as an interested party, an Australian, a Google searcher, a Facebook user, and a news reader.

This proposed legislation is alarming. Highly concerning. To have Government intervention at this level seems so unnecessary - we can achieve this through other means that does not impact so many people and Businesses.

With an understanding on how Google attempts to deliver results to it's users, a ruling to fundamentally (negatively) impact the way that this Business services their customers, appears abhorrent.

In the most simple terms possible: if any news media outlet (or website) wishes to not appear on Google, they can do so. Google provide clear guides on this. It's called "noindex" for those playing at home.

The news media outlets, through their insistence of licensing, clearly appreciate the **direct revenue value** that being displayed on Google's search results brings to their Businesses.

Now, for the free service, that provides all news media outlets (large and small - allowing for accountability and **fair competition**) with the same opportunity to have a *snippet* of their article or news story displayed and attract a user that otherwise would not have visited their website or read their article - some of them also want to receive significant financial restitution as well?! And receive an unfair advantage on user data, the algorithm updates...meaning that the playing field is no longer fair and even for all?

For a decision of this magnitude to proceed, let alone legislation being drafted, displays a complete and utter lack of understanding by the ACCC and the Federal Government for the way in which the services via Google are actually provided.

Let's use an analogy:

This is equivalent to a Shopping Centre (Westfield, for example), providing access to thousands of consumers to hundreds of retail outlets, but not charging consumers for entry and not charging the retailers for rent of premises.

As if this deal wasn't sweet enough for the retailers, retailers would now propose to receive payment - a licensing fee - from Westfield, for the privilege of being able to display their store name on the Shopping Centre Directory.

If that was not ludicrous enough, the Government are proposing to make such licensing mandatory, in addition to requiring Westfield to share sensitive information...although, only with certain retail outlets (that earn 'enough' money), about how Westfield choose which retail outlets will be positioned in the best thoroughfare positions or how they go about choosing which retail outlets to display in the first place; thus rendering the shopping experience for consumers flawed and biased.

Now, replace Shopping Centre with Google; consumers with searchers; retail outlets with news media; rent of premises with Google fees for being displayed; Shopping Centre Directory with Google SERP; sensitive information with data; shopping experience with search journey - and we now have equivalent to the current scenario that this legislation proposes.

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Some food for thought, for the ever-wise and impeccable ACCC:

- Do these requirements impact Bing, Yandex, Duck Duck Go, Swisscows, StartPage, Search Encrypt or any other search engine that no one knows about?
- Are we squashing the concept of innovation, competition and accountability, by making it *that* much harder for independent news outlets or journalists to be seen, heard and discovered?
- Are the large news media outlets particularly eager to receive licensing from Google and Facebook for sharing of their 'IP'; or are they really seeking to balance the ledger after years of steady revenue decline in print newspaper?
- What other instances does a Government legislate that one Business must pay another, for offering a service that was otherwise free?

If you have read this far, then I thank you and am astonished.

To finish, if you (the ACCC, Government and whoever else is reading at this point) really wish to create such legislation, why not put it to the people? This is something that *directly* impacts the >70% of Australian's that use Google every day, week or month. Not to mention the Businesses that this will effect - don't you think Businesses have had enough of a hard time in 2020?

After all of this, though, Google are (and have always been) willing to pay a licensing fee to news media outlets for curating their content and driving traffic to their websites.

Let's show that we aren't a backward nation. Let's show that we understand the world around us, and the way the digital age is unfolding and how it works.

To use a line from Google's founding ethos: **DON'T BE EVIL.**

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You cannot allow the media and their biased view and non journalism to get our data to profit from lies and deception.

I haven't watch free to air news for over 8 years because of how pathetic they're with lies and biased views that doesn't help anyone. People that can't think for themselves and that are over fifty have been led to believe it's true and helpful.

Youtube is one of the last places to find different opinions and views so the media want to control that so it can profit once again of it's lies

Media is dead because it's no longer a discussion for people that haven't done any research just have their own biased view because of what ever agenda they want to push.

Next stop America 🖐🖐🖐 That's what all these Muppets want us to like but the Australian public don't want to be anything like them.

The media doesn't get control of anything because our government controls them. Its disgusting the way the public are treated by the people that are meant to be our leaders 🖐

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Why should news outlets have the right to "bargain" over what is shown in my search results? Why I am searching for news, I want what I searched for. And in some cases, I am against the news outlets on topics. What happens then? I would be searching against the news' point of view. How will I know my search results are free from bias? News outlets were already making enough money as it was. They wanted more, google declined (which is understandable because even without the news, google will still make money as it is an extremely small fraction compared to other categories), and now they are choosing to take a hit in revenue in order to have more power within google and facebook. How can you let that happen? The ACCC backing up one of the worst ideas I have seen. This can lead to a terrifying future if this is passed because it will grow from news, to other categories. Then nothing you search for will be as it is. It will be forced on you. This literally strips your freedom of searching for a normal search result. I don't want to search for a news topic then have every link from a news source. Sometimes I want to read what others think. Why should the news have more power over everyone else?

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To ACCC,

The problem with 'The News Media Bargaining Code' legislation is that it will provide an unfair advantage to media companies with a monopoly over a platforms algorithm that is supposed to be free and open, news organisations already have the capabilities to

use the platform freely so why should they have control over not only other peoples lives but influence over the YouTube algorithm that provides some small creators and large with an audience. I think the legislation needs to be put down immediately, as it

only supports those who want unfair influence over others lives.

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Hello ACCC,

I am a South Australian who rejects the assumptions the draft legislation is built from.

Regarding compensation for media presented on Youtube;

- Television networks that are presenting their material made the choice to use the platform understanding the system.
- **These network receive a privileged position on Youtube, having their videos featured in the news tab and a news video line featured within a users recommendation.**
- The **compensation that each video receives is based on the user engagement** (how many views, how long it was viewed) and a quick review of the ABC on Youtube reveals a lack of engagement.
- **The argument of the proposal is not that these media companies should have an equality of opportunity BUT the ability to achieve greater outcomes then the effort put into the platform.** The reason is clear as the overheads of most organisations require a predictable cashflow and the staff / studios / production cost them more than a smaller organisation on Youtube. **But that is logically flawed. Failing to have content the users wish to see despite having advantages means the organisations have not adapted to internet marketing (via their titles, thmbnail images, etc.).**
- One should not reward poor business planning does not encourage adaption but laziness.

In case you require a summary, read the highlighted sections. I decided to leave out 500 words on the fallacies and misunderstanding of most people on ad revenue on the internet but if you do not know each ad make less than you think. I doubt Google / Youtube are an exception, they just have volume.

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Submission by a member of the public who requested anonymity

Hello,

I am writing provide my view on the draft news media bargaining code. I think the draft code is highly inappropriate and not in the best interest of Australian consumers and citizens. I believe that the powers that this code would grant news media would have a negative impact on the accessibility of content containing perspectives and opinions which contradict news media opinions and this could inhibit the public's ability to consider all perspectives and critically assess information.

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> Hello, I do not support the accc's stance on the bargaining code

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To whom it may concern,

As an Australian content creator, I feel the need to acknowledge my displeasure at the recent draft of the news media bargaining code.

The proposed access to “confidential information” on websites like ‘YouTube’ represents a loss of fairness in YouTube’s search algorithm. The confidential information could cause non-news media channels to rank lower for no decent reason.

With this new draft, big news businesses can demand large amounts of money above and beyond what they earn on YouTube, potentially leaving YouTube fewer funds to invest in non-news media creators, and the programmes to help us develop our audience in Australia and around the globe.

Under this draft, big news businesses can seek access to data about viewers’ use of YouTube’s products. I believe user data protection is paramount and YouTube should not be required to hand this data over to news media businesses.

I ask that you seriously consider rejecting this proposed draft to keep sites like YouTube balanced and fair places for all Australians to grow

Thank you for your time,

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> Hello,

>

> I am not a fan of Facebook or Google, or their role in the distribution of and engagement with the news. But this Code is objectionable.

>

> This Code makes it a requirement for these social media platforms to tell news media organisations how it collects information about users that engage with the news, the type of information it collects, the information that it routinely passes on to news media organisations, the information that is not passed on, and how news media organisations can obtain access to the information that is not passed on. My concern is that this codifies greater disclosure of social media user information to third parties, potentially against the wishes of those users. Why has this been shoe-horned into a Code that is ostensibly about increasing the bargaining power of news media outlets?

>

> The minimum standards imposed by the Code are probably unworkable. These platforms are constantly revising the algorithms used to determine how content is displayed, how can they possibly provide notice to news media outlets about how a given change may impact traffic related to news content, or the display of news content? Again, this bill is about bargaining. Why is this in here?

>

> This Code seeks to prevent social media platforms from discriminating against Australian news outlets, which would include refusing to carry Australian news content. Free speech is not a guarantee in this country, but I sure care about it. Forcing someone to say something, publish something, carry certain content is a coercive intrusion on freedom of expression and speech.

>

> The bargaining scheme put in place by this Code is bizarre and coercive. How can one party to a negotiation be expected to negotiate freely and in good faith if they are forced to be there? The arbitration arrangements also seems designed to deliver the maximum benefit to news media outlets.

>

> Why is there no recognition of the increased traffic and benefit that these news outlets see from being indexed on Google or linked to on social media sites? Why is there no recognition of the fact that participation on Google's search index is actually voluntary, and that if news media outlets do not like current arrangements then they can prevent Google from indexing their sites?

>

> If the government wants a healthy traditional news landscape, why

> doesn't it

> consider:

>

> - increasing funding for the ABC and SBS (ie good news outlets)

> - implementing a grant scheme for news outlets (including small and

> maverick

> outlets)

>

> Either or both of these is less objectionable than this coercive and unworkable Code. Perhaps stronger taxation measures against companies such as Facebook and Google could help fund these? These companies book absolutely colossal revenues in Australia, yet seem to pay mere peanuts in tax in comparison. Maybe addressing this might help to level the playing field more than this awful Code.

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Submission by a member of the public who requested anonymity

To whom it may concern,

I have read and reviewed to draft legislation and I am in severe disagreement with the proposal.

The Australian Media does not deserve the advantages proposed. As a whole, the agendered rubbish and misinformation that it produces does nothing but divide our society and our country, making idiots out of the general population. It is out of touch and out of time from two decades of resting on it's laurels. This laziness and unrealistic measure of self importance comes from a swollen ego - let the ego die.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello Sir/Ma'am,

I am emailing you in regards to the proposed law that would destroy the level playing field on Google and Youtube in favour of large media organizations.

To give these large companies special access to Google's backend is extremely unfair to the countless content creators who put hours of hard work each day into their content. For them to also demand that Google pay them \$600,000,000 is also extremely unfair. Large media organizations do not deserve special treatment.

Once again this law would destroy any and all attempts for smaller creators to get their channels off the ground.

Please do not let this happen.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To the ACCC:

I am writing in to voice my concerns regarding the Media Bargaining Code draft.

I believe that all journalists should be compensated for their work, and while this new Code seems to mean well in giving them the ability to negotiate payment for their hard work, the powers it gives traditional news media companies over online content aggregators like Facebook and Alphabet inc. (Google).

Facebook and Google are by no means saints, having had their fair share of controversy in regards to content shared on their platforms, but I regard them as doing more good than harm when it comes to digital news media. When I search for a news topic on Google, I can be confident that the first results will be from local sources. Google encourages my web traffic to local journalists and news sites, who often run advertisements on their sites to earn money. There seems to be some confusion in this new Code regarding this. Google lists these news sites for free, this is not like a traditional classifieds ad in the newspaper where the news site has to pay Google to be seen; Google is providing a service that can help many news outlets improve their exposure.

In addition, the stipulation that Google provide key metrics and algorithmic data to large news companies puts smaller independent news outlets at a significant disadvantage. \$150,00/year revenue to be eligible for Bargaining Code rights may seem small, but given the current situation many local and niche news services will be put at a disadvantage when it comes to exposure on Google and Facebook since large outlets will be able to use the data from these sites to improve their visibility. This puts smaller outlets at an even larger disadvantage, and reduces competition by allowing large, entrenched news sites to become more entrenched since they will be more prominent on Facebook and Google searches.

Furthermore, the stipulation that news sites be allowed wide-ranging moderation rights on shared content puts undue burden on the consumer, since they will no longer have the right to freely share news they think is important, debate key points of the news article, or share their thoughts on the article itself. This not only huts the consumer's confidence in the news outlet, but prevents people from being able to broaden their own mindset by being shared news articles they may not have looked up themselves.

Finally there is (as there always is in the digital world) my concern about privacy. The new Code requiring that web aggregators be forced to provide user data is extremely offensive to me, even if the intended use case, being able to better provide tailored articles to the consumer, is benign. Many Australian news companies are international companies, and there is no guarantee the my data will be solely used by the Australian division of the company. Additionally, tailoring articles to suit people's leaves them in a bubble where the only news they get is news they already agree with. The real world is complex and it is vital that people be exposed to news they may not like.

Thank you for opening this matter to public enquiry. I hope you realise my concerns and consider adjustments to the Bargaining Code.

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"The proposed legislation has some merit in keeping news organisations active and separating media from government which is important for an impartial investigation into public interest stories. The legislation does not push the role of smaller media organisations and actually mandates minimum turn over amounts. Small media organisations have thrived through Google, Facebook and YouTube and provide diversity to the media landscape. The fact that Google and Facebook have so much power doesn't take away from the fact that right now all media sites and organisations have the same information (i.e almost none) on how listings are ranked. It would be unfair on small media outlets and independent journalists not attached to a media organisation to pass through the bill as it stands. I definitely have no soft feelings for YouTube and Google and think the bill as a base isn't a bad idea, but it misses the mark a lot and will make it much harder for smaller media organisations to build up an audience. Smaller media organisations can even sometimes be completely audience funded, so do not have the same issues offer advertiser and government funding (possibly) influencing news stories."

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Everyone should have the ability to be heard regardless of whether or not they are part of a news organization. In addition, everyone needs to have the ability to generate content that they are passionate about and sustain themselves off of it. With the new law in place, content creators on social media platforms like YouTube would end up having to quit and not only it would hurt the creators but it would hurt the ecosystem as a whole. This is especially dangerous for individuals who could not find other ways to earn money and make a living. There are instances when individuals address true facts that news organizations get paid not to discuss. If the individuals can't get the truth out to the public, then the audience would not be able to discover it. It would therefore open doors to true censorship that we would never be able to return from and censorship leads to serious problems. I, along with many others, request that this bill is vetoed.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear senior ACCC officers/staff,

I am writing to voice my opposition to the proposed “News Media Bargaining Code”.

My objections to the proposed Code in brief are:

1. It (the Code) erodes confidence in the government by arguably preferring, and certainly at least appearing to prefer, certain large corporate interests.
2. **It erodes confidence in the ACCC** for the same reason, and as it looks to subvert consumer choice by manipulating what is presented to them (when it would seem consumers have indicated their lack of interest in these 'news media' corporations' content already), and it does not support competition in that it benefits specific larger 'news media' corporations.
3. This government intervention is unjustified. It is not appropriate for the government to become involved in this 'problem', which is a problem of the group of large 'news media' corporations it will benefit.
4. It is unfair to other creators on those platforms and other journalists/journalism organisations. The criteria for who can be considered a 'news media' corporation in relation to the Code is unfairly restrictive (**including that there should be no proposed minimum financial threshold which unfairly prefers larger organisations**, and that the requirement for commitment to journalistic ethics is evidently not a guarantee of quality which will achieve the aims of a dd – refer [news.com.au](https://www.news.com.au) and its campaign of poorly).
5. If the concern is the manipulation of the public through the opaque algorithms of Google and Facebook, the answer is not to give only a small group the keys to the algorithms.
6. The concentration of 'news media' ownership already acts to suppress certain important journalism that is contrary to certain larger corporate mediate and/or advertiser interests.
7. The ACCC should not act in a way that increases the monopolistic power and existing power imbalance in favour of these 'news media' organisations. Reinforcing their current market power will not lead to a strong independent media landscape.

I ask that you do not approve this Code.

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To whom it may concern,

I do not agree/ have issue with the new proposed law. Media companies in Australia should not have access to my data and know what I do or do not watch/search.

Cookies and ads are one thing (they state they are an ad or it's sponsored) but when it comes to the news you are provided, you should know if you are receiving the news from a credible source. This source should not come/ be targeted to someone through an algorithm without the knowledge of a person.

Furthermore, if news companies are paid more for the content through a mediation process, what about the small media sources? Does that money get taken away from them?

This new law, does not seem fair. If you get more views on YouTube you get paid accordingly. Why can't Australian media companies just **produce** better content therefore they will be paid accordingly.

Please consider the fact that there is a global pandemic at current and people need to know creditable facts not just what big news companies feel like writing about that day.

Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I'm writing to inform you I'm apposed to traditional media conglomerates invading and dominating digital media, namely YouTube.

I believe It is unfair and against what the platform initially founded itself upon.

YouTube is "You" tube, not "Commercial Tube"

The result will take millions from small independent creators and established channels and will suffocate everything that you, me, the public post and will limit access to varied content.

It's comparable to communism. It isn't what the majority want.

I don't want some money hungry greedy organisation to take away diversity /freedom in what I myself and the public views and can access.

Traditional media shouldn't be able to jump ship and hijack another platform it didn't create. It should be a level playing field. Anything els is morally and ethically wrong.

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Dear Sirs,

This draft legislation bothers me in that it appears to:

- * attempt limiting the way in which Facebook is used - enabling outside editing, deletion;
- * give a positive bias to news related businesses which will not be extended to other businesses;
- * require a different ruling on a 28 day algorithm, meaning that immediate action on such occurrences as 'hacking' might result in disastrous ramifications;
- * give an advantage to news media denied other businesses;
- * reduce freedom of expression via social media;
- * share private information without permission by on-forwarding via news media businesses, whether or not a deliberate action;
- * seems to unfairly target a tiny sector of digital media;
- * addresses in part something already available for news media (or any other business) to opt out of being listed;
- * be open to expensive and lengthy legal action;
- * ignores the global availability of information;
- * placing \$150,000 as yearly revenue is rather low in current economy - \$5 to \$10 million might be more appropriate.

If by this legislation, Australia is attempting to raise revenue, could this not be done by straightforward taxation, or other duties?

Please do NOT pass this legislation as it is in present format.

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Submission by a member of the public who requested anonymity

Hi.

I think it goes without saying that the proposed changes are fundamentally corrupt and morally reprehensible. Should these go ahead, everybody involved, everybody complicit ought to be publicly shamed and punished, as Murdoch media already should. Money is talking, proof by the fact that we're even discussing this. This is a clutch at power of a sinking ship that DESERVES to sink. Morally and in a business sense. The free flow of information has been distorted well and truly FAR ENOUGH by the blatant beneficiaries of this proposed code. This is morally reprehensible to allow. This would clearly not be a case of the RIGHT outcome winning - this would be a case of how money and power corrupts, distorts, and conjures evil in its pursuit of more money. At Apple computer factories, they have nets around the building specifically implemented to catch suicidal employees because people are so overworked, their conditions are so bad, they just want to die, yet still being denied an end to their suffering - so that Apple can make a fraction of a percent greater profit. One such horrifying example of the hunger for money polluting the wellbeing of humanity. In the same way, to asphyxiate freedom of speech and the free flow of information like this, in the malignant hopes of more power, more money, from the WORST people to allow to have more money and more power... is morally reprehensible. So morally reprehensible the english language is unable to aptly convey it. There is no morally sound grounds that the proposed changes should go ahead. This is dying corruption clutching at life that nobody should be allowing it. Evil being proposed freedom. The profound virtue of the internet is a free-flowing connection between our entire species that will allow us to come to moral conclusions that now allow for the prospect of a Heaven-on-earth type scenario to exist. As such; to destroy that, the proposed changes represent an UNPRECEDENTED evil deed. Prioritising greed over unity. Corruption over peace. As animals trying to ensure the survival of our genes, any offering of power is persuasive, but we are far beyond the need for betrayal to ensure survival... If money wins over freedom of speech here, I do not have much hope for humanity. I hope with every fibre of my being that the right decision is made here.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The new legislation being drafted that gives big media conglomerates in Australia access to the algorithms of Youtube and Google is flawed and unethical and against what the public wants, as well as threatens to quash Australian content creators as their content will not be shown above those given special treatment. This cannot be allowed to go through, and trying to get it pushed during the covid epidemic is shady and unethical.

"The News Media Bargaining Code would force us to provide you with a dramatically worse Google Search and YouTube, could lead to your data being handed over to big news businesses, and would put the free services you use at risk in Australia. " -Google Australia Managing Director Menalie Silva

The Australian public does not want this code to be enforced. It is an unfair system and modern media needs to get with the times if it wants to survive, not expect special treatment from these private enterprizes, and certainly not one as commonly used as Youtube and Google searches.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good afternoon to the person reading this at the ACCC,

I would just like to share my thoughts about the News Media Bargaining Code that you have recently pressed upon Google and other forms of media. Now while I do not know very much about how this will affect the "whole of the internet" (as some people will put it). After reading a blog written by Google, I believe that Code is unfair and potentially biased to those in big companies while it leaves smaller businesses to suffer. Not to mention the fact that this law will cause smaller Youtube creators to not be seen as often due to larger corporations being publicized more often because they are possibly more wealthy than the Youtube creators mentioned. I also believe that the risk of news media businesses using Australian's information for their own benefit could become a larger issue in the future of the online media world.

This could lead to more egregious problems in the future if not at least change to help Google and others work with the law in place. I understand your point of view at the ACCC but this is how I and many others feel.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/ Madam,

I would like to voice my concerns regarding the Media Bargaining Code law.

I believe this law will **not** benefit the people of Australia, by allowing control of what is essential a level and free platform.

I hope you take this into account and put a block on the passing of this law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Attention ACCC & Rod Sims,

If you define the proposed "news media bargaining code" bill as fair and just, i believe that you are not doing your job correctly and/or are corrupted by reasons unknown.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> To whom it may concern

>

> I do not believe this Act is in the best interests of users of the Internet in Australia. Forcing digital platforms to give News Media an unfair advantage over other online content creators is both unfair and unethical. This Act seems to be the News Media pulling strings in parliament because they cannot adapt to a changing media climate where most people get their news and information from the digital platforms that the news media seems to be attempting to manipulate. Passing this law will force people like myself to acquire VPNs simply to avoid being bombarded with videos i don't want to watch from large news media organisations in my home country. Please do not pass this law if you have any belief in free speech and a fair go.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Hello,

>

> My name is [REDACTED], I'm a middle-aged systems analyst working in the west of Australia.

>

> I don't often interact with politics or public consultations on matters of policy but I digress in this instance as my disgust over the proposed matter of a forced bargaining code to the "traditional" news media industry of Australia by technical enterprise such as Google, is quite frankly sickening.

>

> News, ergo information is *not* and never should be a proprietary product for package and sale by corporations. It is clear to anyone of sound mind that there are enormous implications of establishing the trade of information as a commercial product both in the maintenance of a fair and balanced viewpoint by those holding parties as well as continuing to allow for independent media to flourish where it can without economic disparity in the quality or quantity of coverage. We are speaking on the matter of absolute truth, a virtue that we as a developed nation hold ourselves to account for as a property of our trustworthiness, respect and conviction on our great planet Earth.

>

> It is not the prerogative of the Australian public, much less so anyone in the world to allow for such a forsaken process where "traditional" structure is rewarded for its inability, ineptitude or downright refusal to evolve with the times and it is a national disgrace for any politician, much less our Federal Govt. to float this idea on any motion of fairness behind such a policy. To propose shame upon our leaders for this forced shambles of doctrine would be much too lacking in empathising the disgrace that this code is.

>

> Thank you sincerely for your time.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

The media in our country has no right to get what they are asking for. The media lost its integrity a long time ago and it is bad enough they poison the TV with their filth. To allow them these advantages is to betray the people of Australia and our right to independently research information.

Instead of pulling this stunt, the media should cease the spread of misinformation and gossip like nonsense they love to show.

If our government had any integrity left, they would not pass this law. Make the right decision, the people won't stand for this law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

I wish to advise that this media bargaining code will drive through wrong behaviour for users. Users will no longer turn to news and media outlets. You get generations are more tech aware and will result to Dark web channels to drive news and media influences.

Therefore all measures to ensure platforms show different news/media business is forcing users to use these platforms even less.

A great example of this was the internet filter - look how many people now use VPN.

FYI: this has also been sent to our PM

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello to whoever is reading this, I am emailing to share my thoughts about this new law that is going through about news organisations being able to access the algorithm that google uses on their platforms.

I have not read much into the subject, but I have watched some youtube videos about it and read what's on google warning when you first log onto chrome.

And this is simply outrageous, The journalism industry is a dying one, I have never watched the news in my life, I always watch a youtube video from a trusted content creator/source, what the companies are asking for here is silly, they know that youtube is succeeding so much more and its unfair for one big company to have the rights to cheat the system to make content so everyone sees it, it's just not fair, and otherwise the youtube and google ecosystem that we all love today will turn into a corporate battle ground.

Thank you for reading whoevers there, I'm just sharing my thoughts, I'm not a professional on any of this legal stuff but yeah, Have a good one

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Media companies can request that Google not index their content.

Obviously media companies are applying financial pressure here. The Australian government does nothing except on behalf of vested interests.

What is happening here is that media companies want to use the ACCC as their bargaining arm. They already make a lot of money off free clicks. Now they want everything else as well. Tell your media friends to remove their content.

Forget it. Bad idea. Let the media companies fend for themselves like the rest of us.

Subsection 2: Why can this information not be made available about every company/advertiser's interaction with Google? Why only media companies??

52N - Why can't all companies get this advantage??

And the rest of it - **all designed to give your media friends an unfair advantage that will not be available to all companies and advertisers that use Google.**

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

After reading and researching the Bargaining Code request by the News corporations, I implore you to NOT APPROVE.

I feel that this code is cruel, unreasonable and arbitrary use of power and control over the people and their freedom of choice.

The below reasons is why I feel that it is imperative you do not approve the Bargaining code:

Have you considered the PSYCHOLOGICAL impact of having the news THRUST AT ME and others, and not having A CHOICE. A lot of people are suffering from MENTAL ILLNESS and having to be FORCED TO WATCH the NEWS will cause MORE ISSUES and more MENTAL ILLNESS. **The negative effects of this is greater than anything else. There is no positive.**

1. **DO NOT MAKE IT MANDATORY** - you are taking away FREEDOM OF SPEECH AND CHOICE

1A. **There is NO IMBALANCE** between Australian News Media Businesses and digital Platforms, News Media Businesses need to learn how to run THEIR BUSINESS ONLINE, just like EVERYONE ELSE HAS

2. You will be **CONTRIBUTING TO UNEMPLOYMENT** - because other businesses advertising will not be seen, if the digital platforms are flooded by news

2. **You are bullying businesses** like Google and Youtube to conform to what the News corporations want to do, which is take over their business and reach (what's next)

3. **You are forcing businesses like Google and Youtube to give away their intellectual and business property** to another business - WHY, that is against the law

4. You are taking away **MY FREEDOM OF CHOICE**

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

5. You will be **FORCING SMALL BUSINESSES OUT OF BUSINESS**, because you will give advantages to another business (**News Corporations are businesses**)

6. you will be **FORCING ME TO WATCH NEWS WHEN I DON'T WANT TO**, I will have no choice

7. You are taking away **my parents FREEDOM OF CHOICE** and other elderly people

8. This is why we have **NETFLIX and STAN, FREEDOM of choice to watch what we want**

9. News Corporations have plenty of money to build their businesses up, they do not need to be paid by Google and Youtube for their business, they can buy advertising space like everyone else

10. News corporations - we do not trust the news

Please do not allow this to pass as law, as it is detrimental to myself, my business, other small business owners and other business owners out there who are using digital platforms to make money and live. You will be creating high levels of unemployment as well, increasing mental health issues among everyone especially the youth, who are already at higher risks of **MENTAL HEALTH ISSUES**.

PLEASE DO NOT TAKE AWAY OUR FREEDOM OF CHOICE! IT IS OUR HUMAN RIGHT!

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

This is email is sent to say I and Many others disagree with the new regulations scheduled to be imposed , relating to YouTube and the mainstream media

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

This is the dumbest proposal since meta-data retention legislation. There is no way to adequately define a "news" organisation, and there should be no bias in how things are ranked, which is what you are legislating for. Please keep the Internet free and fair by leaving private companies to conduct their business as they see fit serving their users.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good Afternoon,

As a small creator of web content, I am gravely concerned about the proposed News Media bill and would like to raise my concerns during this consultation period.

While the intent of the proposed bill is noble in theory, the actual real world ramifications of this legislation will be far reaching and have significant negative consequences for small creators and businesses that will not be provided with the same benefits under the bill as the big media corporations.

Yes, it may be true that there is a power imbalance between google, facebook and media organisations. However the answer to this problem is not to provide large media with an unfair competitive advantage.

I believe that this bill goes against the ACCC's primary purpose of promoting & maintaining competition. Giving large media corporations extra power and privilege with large search engines will create an environment that is untenable for small independent media and content creators.

It is not possible for a small content creator to compete against large media (in search results on Google or YouTube) if large media is given additional benefits. These benefits are only for large news media and would not apply to the small yet critical voices of the non mainstream.

This legislation will have an unquestionable negative impact on small content creators, creating a less competitive marketplace that is oversaturated with the unintellectual pollywaffle and propaganda of the mainstream media.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Submission re:

TREASURY LAWS AMENDMENT (NEWS MEDIA AND DIGITAL PLATFORMS MANDATORY BARGAINING CODE) BILL 2020

This amendment cannot be allowed to pass.

This amendment is a clear attack on the rule of law which requires that laws be applicable across the board and not to whatever person or entity the treasurer decides he doesn't like this week.

This amendment is a clear attack on journalism and dissent. This amendment will strangle reporting of public interest stories.

It is just wild that this amendment states that the ABC and SBS cannot be paid. So here is how this is going to work. Google are not going to put up stories that they have to pay for. They will use the free ones from the funding-starved government broadcaster.

A public interest story that comes out that cannot initially get picked up on the government broadcaster will have nowhere to go, and will be effectively suppressed from the internet.

Where are George Brandis's traditional rights and freedoms now?

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

In regards to the possibility of brands like YouTube and Google are in danger of being taken away from Australians because the media aren't funding their own resources to be able to move forward with society to obtain the audience they desire. We watch soaps

like MAFS and Home and Away but apparently you can't keep up with Tik Tok and "influencers"?

Nah. The consequences of stripping potential careers and money to be moved in Australia during a recession is scary. The young people are loud and need to have key

platforms such as YouTube to learn and keep off "the streets". Traditional media must deal with the consequences of failing as the boomers die out and the "Young people" of Australia are their only audience. Though my voice is small I hope these things are

taken into consideration. This is a perfect example of over policing being screamed through the streets of the world right now.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

You claim that this draft is designed to help journalists compete with online sources, except journalists are online sources. This bill doesn't even the playing field, it asks for an unfair advantage. An advantage you're only offering to large news providers.

I am aware that traditional journalism is dying, I understand this is an attempt to ensure sources that you believe are more trustworthy are widely distributed. But this is a stopgap measure at best that relies on an outdated model. The new way to ensure trustworthy

information is not to follow a single source, but to read multiple articles from multiple websites. This system is always better than a single source because it has a better likelihood of getting the truth without bias.

We are taught this new way of research in schools, and it is becoming the default way to read the news. Even if your law goes through, the new generation has been taught to never trust a single source, so it only alienates a large company and fixes a short term problem.

I do not recommend implementing this law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> To whom it may concern,

>

> I am struggling to understand the basis of the 'News Media and Digital Platforms Mandatory Bargaining Code'. From the perspective of a consumer, this code appears to have been drafted from a place of fear that Australian News Media is lacking in 'necessary' traffic.

> Not only do I believe that this code will jeopardise young Australians that are trying to build a platform, but it will also make Australian News media a lot more dominant in regards to online content.

> YouTube has (and hopefully always will be) a place for people to consume independent content as well as build a platform and create content for their viewers. If this bill is passed, it will ruin a lot of young Australian's dreams of making something bigger of themselves.

> Growing up, we're all told that we can be whatever we want to be. This will no longer be the case if this 'code' is approved. No longer will children aspire to create content for people online. People will be able to create content, don't get me wrong. However, it is apparent that their content will no longer reach as far as it could without this code in place.

> A country that is dominated by News Media is not a country that I want to live in. I do not support this code, and I don't believe any Australian should.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern, I am no expert in this manner I am just a poultry farmer in the Hunter valley.

I just learnt about this law the media is trying to pass controlling media platforms such as google and YouTube.

From what I can see they are trying to sway the books there way by controlling the platforms to ensure the "news" is whatever they say it is, and suppressing all other points of view by ensuring other creators are paid very little and they take most of the revenue pie and that the veiws are all in there favour by having access to there algorithms.

There only reason for doing this is they have lost there target audience to these other creators as a large number of Australians no longer turn on the tv and watch these people as they have realised that they can not be trusted with what they say and do and people can fact check them with other sides of the story's with these platforms from these other creators.

If they are paid 60 times more then the other creators YouTube will have to pay these others less in order to fund them.

Therefore starving the competition dry that they are losing the game to that they have had an enormous head start for many years to build trust in the viewers which they have lost at there own peril.

This is a free speech issue. They are not banning others point of view as they can not get away with it in our great country, rather they are trying to sway the veiws there way and starve the others out of income.

It should remain a level playing field where they can get more veiws and income through hard work and content people are interested in and trust.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam

I believe that this proposal draft will infringe on freedom of information and the privacy of Australians if you give these powers to news outlets.

Further more if such harsh laws are past I fear that we as a nation will lose such companies as Google, YouTube and Facebook if they are forced to comply. In saying all of this a lot of the proposed laws can be bypassed by the user using such programs as ad blockers and VPN'S giving the news outlets a non-advanged.

I fear that this subject is above and beyond ACCC and the government scope and do not understand how the internet works. If this law is past it will stop newer content creator's from rising and give the News outlets too much influence on the general public to push what ever agenda they please. If such law is put into place I will be forced to protect my data by use of VPN and Ad blockers to stop such overpowered terms.

If you truly have the general publics interest first over big companies such laws should be looked into further. At the end of the day it is already a fair playing field for the news outlets it's up to them to move with the times and learn the new way people consume their news.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

I have been made aware of the newly proposed "News Media Bargaining Code" and while I believe in its goal to make traditional news media more competitive with modern online media, I also believe that it will achieve the exact opposite of that goal. I particularly note "Schedule 1 Subsection 1 Section 52N" where digital platforms are required to give advanced notice to media companies on changes to how content is ranked or presented to users. The way these platforms curate content is not given out publicly for a very specific reason, once the algorithm is known, it is very easy to game the system, so by allowing only a small group of these traditional news companies access to the algorithm operated by digital platforms, it would ironically make them anti-competitive for all other forms of content including that produced by modern online media. I personally would not trust these companies or any other company, to just sit on this information and not abuse it for personal gain. I would like for this part of the code to be removed so that all media companies can compete for the attention of consumers on digital platforms fairly.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

ACCC

I do not agree with draft code changes.

I want to choose what I watch, not be fed propaganda by Aussie News (Which I think is biased).

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

Please note that we do not want the media sensoring you tube. We do not agree with the media request to be involved in you tube in ANY way. I certainly do not want my search history provided to the media.

We want you tube to stay an independent platform where freedom of speech is our right and where we are not being censored by main stream media.

I want to decide what topic I want to see or not see. I do not approve of the Australian media playing any role in you tube. If they want their own channel on you tube to put up their videos, let them. But they have to be treated like any other channel on you tube.

I do not want my search history to allow them to block certain videos from my recommendations. I do not want them to be allowed to have any say on you tube, other than on their own videos and what they prefer to publish on their own channel.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi, I am writing to the ACCC regarding the News Media bargaining code. Youtube has become the platform of publication for many Australian independent journalists and the new legislation would provide an unfair advantage to mainstream media in the youtube algorithm.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Its a bad idea for three simple reasons that I will provide explanation for

1. The news media does not deserve to be paid for its content any more than the individual creators on google as a whole, they do not deserve access to the algorithm that google has hidden for so long. Putting it simply, if google is going to give the algorithm and money to anybody it should be everybody. In this day and age platforms (and I must emphasise the word platforms not privately owned cable space) have a duty to put every individual on the same level where each and every person has the same starting point. Every creator whether corporate or individual should not be held to a higher standard based off of a largely arbitrary factor. Let me ask a rhetorical question: Does a company deserve money and an unfair advantage for something anyone else can do? My answer to that is no

2. This law will go one of two ways. It will either practically kill individual journalism on google or it will greatly diminish it and fail anyway (as I will talk about in my third point). Nobody has access to the algorithm other than google. However, if it was just given to larger news corporations it would not be an outrageous wager to assume most to all independant content would hardly see the light of day, what with the majority of the attention being soaked up by artificially inflated news corporations who know exactly how to put their content regardless of effort or quality on their part above everything else

3. It is not sustainable. It is clear from my perspective traditional news media is dying as they are unable to thrive in this connected world where sharing information is so simple. Very few people actually pay much attention to them at all at this point considering information spreads so fast on social media anyway. I suppose you couldn't expect them to survive. Pumping money and support into them to sustain an archaic system of information dispersal is both a waste of resources and an active detriment to the livelihoods of people who have as of recent made a relatively reliable source of income from the internet. Times change and sometimes we just have to accept that the status quo no longer holds the merit it once did. If this law is not passed it would not surprise me if their industry fell apart but at this point I believe that conclusion is simply unavoidable. Passing this law would be like giving a drowning man in the middle of the ocean a life vest and nothing else. Social media is such a powerful dispensary of information the only purpose traditional news media serves is as a simple reference to double check just how many people are talking about something. A double check does not deserve the unreasonable quantity of money it is demanding. The law will only delay the inevitable and at the same time hurt everyone else around it. Their time has come and gone and we should be willing to let history run its course unimpeded

This is my conclusion: It would be unethical, wasteful, and confusing to pass a law such as this which so clearly holds different people to different standards not based on the quality of their work but on their corporate affiliation i.e. don't enforce a double standard

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi, I'm not much for emails, but am a small content creator on YouTube, along with many others, we do it for the fun, the enjoyment, the challenge.

If news media in Australia gets away with the law change, grabs youtubes algorithm, collects search data, and controls the content immensely like it plans, it will ruin YouTube WORLDWIDE.

It sets a dangerous precedent, and before long this will become a global issue..

I believe(and I'm not alone) that if new media gets it's way, it will ruin monetization via adsense, because when it becomes grossly overpaid for its content, the adsense budget will dry up.

Not only is the death of monetization an issue for small creators that strive to make good content for viewers to grow their adsense and grow to create more and better content.. But it also turns the platform into an eco chamber, new thoughts, ideas and opposing views will cease to exist, with the same revolving door of the same topical content and same ideas, killing the platform and many people's hobbies and livelihoods.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

I have received notice from YouTube and Google claiming the news media of Australia wishes to change the law related to YouTube and its broadcast share. Under normal circumstances I usually ignore open letters and most suggestions to change laws, however in this instance I believe my liberties are under threat and must voice my opinion regarding this matter.

It is apparent to me that news media of Australia and big television networks are falling behind streaming platforms such as YouTube and in turn losing money because of this. As a result of this, I believe they are attempting to push the bill and change the rules to make the rules biased to other sources, providing the Australian news media with an unfair advantage. This has a similarity to when radio was threatened by television, but radio found a way to co-exist, compete in the market and stay relevant instead of demanding the rules be changed to benefit only the Australian News media and not the Australian public as a whole.

If television wishes to remain relevant in a world of technology that is only moving forward, it will adapt and work to overcome the obstacles it is facing. Demanding law changes to give an advantage is unethical and a blatant attack on fair competition. I believe however the news media of Australia will do nothing to evolve or stay relevant and will instead fade into oblivion, which should be permitted to happen.

My request of you is to REJECT any changes to the current law and legislation surrounding mass media and the streaming service YouTube, allowing smaller content creators the same playing field. Current laws in my opinion are, fair, just and balanced, allowing all related parties to grow.

Thank you for taking the time to read my opinions relating to this matter, and I hope you reach a fair and unbiased decision regarding this matter.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Good morning.

>

>

> It has come to my attention that there is a bill attempting to be passed in the Federal Australia Government that will give the news media outlets and companies of Australia an unfair advantage over sites such as Google and YouTube.

> I believe that the media should not be aided by the Government in the terms that they need to be handed their profits on a silver platter as a result of decreasing general interest in their platform.

> Not only that, but myself as an Australian, feels as if my personal data and information is at risk if the media companies gain access to YouTube's and Google's analytics, algorithms and user data. This is a massive privacy risk.

> There is no lie that the general population of Australia is now gaining a certain disinterest in the media, but I believe this is the media's own fault to some extent. The media has become untrustworthy and is now spreading more misinformation than it is information, for example; lies about panic-buying in order to fuel panic-buying, lies about current coronavirus restrictions - it's all about money for them now.

> Myself as a 17 year old Australian should not feel as if my personal viewing data is at risk of being controlled by the media, and the honest truth is, if I wanted to know what the media has to say, I would go searching for it, it shouldn't be forced upon me.

> This is a huge privacy concern and is unfair to already struggling creators trying to make it by in the YouTube scene.

>

> This needs to stop.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

I have recently been made aware of the draft code being proposed in the digital media space. Your site states that it: seeks to address the fundamental bargaining power imbalance between Australian news media businesses and major digital platforms. This imbalance has resulted in news media businesses accepting less favourable terms for the inclusion of news on digital platform services than they would otherwise agree to.

While bargaining power imbalances exist in other areas, the bargaining power imbalance between news media businesses and major digital platforms is being addressed as a strong and independent media landscape is essential to a well-functioning democracy.

There are far reaching implications in respect to how Australia operates going forward, with unintended consequences this law may very well create.

Your documents state: The draft code would requires major digital platforms and news media businesses to negotiate in good faith over all issues relevant to news on digital platform services. News media businesses can bargain either individually or collectively with a digital platform as part of these negotiations. The code allows collective bargaining by news media businesses in order to help address the existing significant imbalance in bargaining power between those businesses and the digital platforms. The draft code also encourages parties to participate in mediation in order to facilitate commercial agreements on these issues.

This seems to fly in the face of basic copyright law, and fair use provisions which we have struck with international trade partners. Australia is a party to a number of international treaties that protect copyright material, including the Berne Convention for the Protection of Literary and Artistic Works and the Universal Copyright Convention (UCC). Australian news media needs to innovate and create content that is compelling, is unique, and actually earns them revenue in an international setting. Mindful of existing treaties, there is already mechanisms in place for protecting content creators internationally. There is no need for additional regulation especially in a Covid19 environment. Small business in particular already has enough red tape, and although this model is not directed at small business, they will be caught in the crossfire (such as my channel [REDACTED]).

The traditional news media (television, print, radio) of Australia, in a normal commercial environment have seen declining market share for decades. This has been to pay-tv, web sites, podcasts, and now streaming platforms such as Netflix, Spotify and YouTube. As a result we can see declining profits and share values. Both not unique to the modern age. But instead of innovation and adaption, the traditional media platforms are advocating to change laws simply to protect declining revenues (keeping in mind existing copyright laws locally and internationally).

YouTube has claimed the news media in Australian is attempting to change laws related its revenue share. I have read comments only that some feel their liberties are under threat, something I agree with, but also as a small entity working on my own Youtube platform, I feel my small business is under threat as well. The ACCC exists in part to ensure competition is fair. As a SME, in the media space, I make use of fair use provisions of copyright law for my content. Content that is under threat if this code is enacted. The draft code states it “would allow news media businesses to bargain individually or collectively with Google and Facebook over payment for the inclusion of news on their services,” directly impacts my business model. A model that as I have already stated uses fair use laws for the content my business creates, compliant with international law. (See *Hosseinzadeh v. Klein*, 276 F.Supp.3d 34 (S.D.N.Y. 2017); *Equals Three, LLC v. Jukin Media, Inc.*, 139 F. Supp. 3d 1094 (C.D. Cal. 2015) in a USA context).

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The world economy is in turmoil, with businesses needing to adapt to a new age. Traditional media is no different, and should not be given a free pass at the expense of small business operators. It needs to be noted that Youtube in particular is a platform for independent content creators to access. It is open to traditional media as well as creators such as myself. In fact major media corporations have money, resources, and a range of advertising means, to capitalise on the capacity to earn from the platform. They do not deserve any special treatment over and above any other platform user. That is anti-competitive and will see small business locked out of Youtube. Smaller operators will see their earnings decrease limiting the ability to generate new content, further limiting their revenue, in turn causing small business closures.

By passing this new regulation framework, that targets Youtube as a content platform, these very laws will instead attack the independent content creators using that platform. By shifting advertising revenue share from small businesses to traditional media, those small businesses will struggle. There appears to be nothing at all in this draft code to prevent that eventuality, and so I urge you to cease this frameworks introduction. Especially in Victoria, the small business sector is doing it tough enough already, the proposed draft framework risks making it business destroying. Making revenue as an arts business is hard enough already, by shifting revenue from small players to large media organisations seems counterproductive in a competition watchdog sense.

Additionally I urge you to advise media organisations petitioning for these laws, where they feel their content has been misused, to make use of existing copyright laws.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it concerns:

I do not approve of the Bargaining code as it pushes for further restrictions on the internet resulting in the threat of companies like youtube pulling itself from Australian servers, which no one wants. Large news corporations already often make the trending page of youtube, and with the amount of pull they have on google, they are often the first result of my search whether

I like it or not.

These large news outlets are everywhere I look, so if I wanted to support them it would be all too easy, the fact of the matter is I don't. I could sit down and watch the 6pm news, buy a newspaper, find news articles on google or even watch their shorts on youtube, or if I really cared that much about their biased opinions I would download their app, but I don't. I don't want to play into the hand and pay someone who constantly tells me how scared I should be about the world around me, or how social media is bad for me, or how I should VOTE.

I do not believe that these corporations should be asking for a pay rise either, after all of their demands. I feel as though they should be able to post whatever they like on youtube, just like everyone else, and if people care to watch their content then they should be paid in accordance to what ad revenue they would be making, but they shouldn't be getting paid for existing. It's as if someone broke into your house and then started telling you that you have to pay them for them being there.

In the ACCC response to youtube and google's open letter you state "A healthy news media sector is essential to a well-functioning democracy" as much as this is true, we don't have this, we instead have a biased news sector with no hope of change, that constantly uses fear to try to control our lives, so perhaps rather than looking at putting these people wherever they demand to be placed and paid whatever they want, we should instead be combing them over and weeding out all of the toxic biases that are only there to push an agenda. To have a well-functioning democracy we need to have the freedom to choose what news articles to read, and which to believe, what has been proposed seems more like something from dictatorship.

Lastly a large number of Australians are making a living off youtube (whether solely or a partial income) and this proposed law may very well endanger that source of income. In this current climate this may be detrimental to both their financial stability and their mental health, at the very least, not to mention that trying to find a new job right now is harder than it has been in decades.

This all leads me to ask the question: who made the decision to try and pass a law that endangers so many people's income, whilst 24% of the workforce in australia is unemployed, and we are in the middle of a mass pandemic and teetering on the edge of an economic collapse?

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

ACCC,

Please find below a submission regarding the News Media Bargaining Code. Please treat the entirety of the message and also the details regarding the sender as confidential.

I am writing this letter to voice my opposition to the legislation detailed in the proposed “News Media Bargaining Code”. As it stands this proposed bill is untenable.

The bill in its current form places unreasonable demands upon digital platforms and undermines the competition and value associated with internet access.

It worries me as an Australian citizen to see the government imposing these requirements on any business, and further, the benefit to the Australian people appears misguided and misdirected. The government should be supporting the industry to transition to a digital future, not trying to shape digital technology to help news businesses.

Thank you in advance for your prompt attention to this matter. I hope that the bill will be redrafted to remove onerous terms.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom this may concern at the ACCC,

I am writing in regards to my personal concerns in relation to new laws being proposed in Federal parliament. I find the News media bargaining code laws that are being proposed to be of high concern to the way Australians view content on social media platforms for three main reasons.

1. The new law is a form of censorship and controls/dictates what viewers are seeing/encouraged to see.
2. It takes some of the support away from small time up and coming youtubers who rely heavily on the ad revenue to expand and grow their channels and social media platforms.
3. Finally, this new law is wrong because it affects other nations and sets a poor precedent for other nations. If this law were to be passed in Australia I can only assume that there will be many other nations in similar circumstances that will follow suit and pass similar legislation.

I hope you get an opportunity to read this and the Australian government has time to reconsider this sort of legislation.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

I have struggled to put in words my thoughts on how egregious this code is.

It is blatantly only a money grabbing exercise for a failed newspaper business model, who are now crying poor from their inability to adjust for the last 20 years or more to an internet based business model.

Please take for example that the Australian has had a web site giving away it's news for at least 10 years before they put a pay wall in place. This is a problem of their own making. The fact that people like me no longer value what they provide, is not my problem nor is it the problem of companies who have made a successful foray into technology.

To see more detail of all the inequalities that this code would produce, and to explain my thoughts more fully, please see this link which details them... <https://stratechery.com/2020/australias-news-media-bargaining-code-breaking-down-the-code-australias-fake-news/>

To be honest, I see this as a play by the 'major' newspapers to get back what they have lost over the last 20 years, in what has been an openly competitive market. They have resoundingly lost that competition. Rewarding them for their lack of ability to adjust is short sighted and really is just going to only keep them alive a short time longer. You are actually going to assure their irrelevance in the coming years.

I urge you to think through this again in a fairer, more transparent and courageous manner, as the outcomes of this code will be the downfall of even more traditional newspapers. Which, to be honest again, no one in Australia is really going to cry about (apart from the media owners) as the rest of us have moved on anyway.

So actually, go for it - see how it turns out. Good luck with that!

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern

I am writing to you to say I don't think that the media should have any right to do anything with YouTube. I accept posting content there is a reason I don't watch the news.. it doesn't interest me so why should I be forced to watch what they want me to watch if that's the case then I'll delete YouTube and Google and anything associated with it because why should free choice be taken away from us just because the news is a dying industry doesn't mean they have the right to take it all away and act like selfish teenage brats on the school playground. As a business owner that uses Google products regularly I will be very disappointed to be controlled by the media!

I say NO to the media !!

Thank you for your time

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

I have heard about the new bill/law the media in Australia wants to pass and I believe that it should not take place. My reason for this is because of what it will do to smaller channels and people thinking of making a channel themselves. I am a musician and I have been planning to get my music out into the world through youtube, however if this bill is passed I will not get that opportunity and less people will be able to see my work. In my mind this means that it will be so hard for any new creator to gain status on youtube, which is unfair to all of us.

Please hear my voice.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

As a person that uses and create content on Youtube, I ask of you to not pass the new law as for one the media corporations would have a monopoly just like the big corporate guys in America with steel but instead of steel it is information that the big news media has a monopoly and as I and you know in the current modern world information is more valuable then any other natural mineral we could dig up on this planet and if it falls into the wrong hands it will have devastating consequences. For one Australian big news media is not known to be unbiased or nuanced as we can see them constantly defending the liberal party of Australia as well as being dull, uninteresting and mindless that's why they(Australian big news) are going out of business because their old media isn't compatible with new media such as the internet, so instead of being nuanced or little less biased, they decided to just simply buy out the competition. Another reason why this law will be disastrous is that misinformation could be spread more easily since well it's coming from one viewpoint i.e the big news media of Australia and since those guys are unwilling to actually do any work to improve themselves I doubt they would fact-check the information they received and just put it out there with the potential to ruin people lives. All in all this entire message is in favour of not getting this law passed so for the sake of everyone that uses google in this country for almost everything, please don't pass this law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I'm writing to express my deep concern with this bill. The effect this bill will have on Australian YouTube users should it be passed in its current state will be profound. Giving news business corporations such as the ABC YouTube's Algorithm will give such businesses too much curatorial power over the videos that Australian users will be suggested which will leave the Australian public more susceptible to propaganda, fake news and confirmation bias masquerading as accurate and reliable information.

Furthermore, granting such news businesses access to users' private data would be in direct conflict with the Australian Privacy Act. The protection of users' private data should remain the paramount concern for any legislation relating to the Internet to prevent corruption and monopolistic practices.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam,

I write to you today to express my strong opposition to the proposed News Media Bargaining Code legislation.

Please do not pass this legislation. The demands you are proposing will drastically alter the ways in which Google/YouTube operate in their natural state.

People in power always fear that of which they cannot control. The Internet as we know it has given said power to the people to consume media freely.

Please do not give News Corp and the Murdoch media empire this helping hand. They have had their foot on the neck of our country for years now, controlling what we consume. Now that the old media is being forced to adapt and change their corrupt ways or risk becoming obsolete, you now want to bail them out?

Again I plead with you, Do not pass this legislation.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

Corporate media has become unreliable and untrustworthy and Australians are at risk of further being polluted with biased viewpoints as a result. The lack of coverage of this legislation gives indication how mainstream/traditional media can suppress or push what every story fits Rupert Murdoch and his friend's agendas.

I hope these concerns do get acknowledged and not ignored.

Thankyou

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

I have briefly read over the new legislation the big media want to put into effect.

I must voice my opinion as it is a violation of our privacy and gives unfair advantage to companies that we already know aren't trusted because of their history.

I would like to say that I am against this legislation and hope you will add this to the many other emails I'm sure you are reading and considering how to act on this.

STOP THIS BILL!

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To ACCC,

I do not believe that news media should get preferential treatment when it comes to being notified about changes to the algorithms because it will provide them with an unfair advantage over other users/creators in search rankings and recommendations (on YouTube). An independent journalist or small news outlet will find it increasingly hard to compete when there are major algorithm changes and because of this it will negatively impact competition. Users of these platforms that are not even in the same area of content will be put at an unfair disadvantage because they will not know the changes made to the algorithm which will provide news media more exposure in results and rankings through unfair means.

I also do not believe news media should be given any additional or special moderation tools. If they have a website it is up to the company to make the tools themselves. If the news media are given additional tools they will use it to suppress any dissenting opinions or criticism (this already happens on news sites that have their own tools and on social media). This can easily create a bubble that harms the public discourse and promotes an environment that is hostile to opposing views (this can be seen on twitter [by blocking people] and reddit).

I also do not think News Media should even be allowed to request any data without direct permission from the user, not just a general TOS or something from Google it should be a direct request. I believe that News Media should be allowed access to data on click throughs, time spent on the website and specific articles, and other information specific to the website or article. That being said I think it is strange that news media don't or aren't using tools that already track this. I kind of feel like they are just trying to get access to something they are too incompetent or unwilling to set up themselves.

I agree that News Media should be paid when applicable and appropriate. I also support that they should have access or be provided the information on their website usage e.g. click throughs, time spent etc.. but they should not have access to user data beyond that without the user's explicit permission.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Please stop this from passing. I am not politically educated so I do not know the correct terminology, but this law will make youtube a less open site. That allows content and education from all backgrounds and all political and religious ideas. If this passes it will take away all the reasons why I love youtube. Please look into this, not just for yourself but for the future of australia. Thank You

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

News media is not owed anything.

These days people have essentially no trust in the Media and now you want to give them the key to the biggest platform for people who actually report on the news without someone censoring them, or telling them to lean in one direction.

They want compensation for failure, they are getting beaten down by a market that sees their failure and corruption and seeks to fix it by informing people and opening a discussion, they know this works because people no longer as satisfied with one side of a story, we are more connected then ever and now have the tools to question things that would scratch past with lies and false stories.

People succeed on YouTube and Google platforms because when they try lie they are called out and shamed, their reputation is on the line along with their channel itself, can you say the same about any of the big Australia News Outlet's?

But let's put it like this, Say the Media had the same power they are seeking during the Corona Virus's first serious run through Australia, It would have been an echo chamber of panic buying with a light hearted "Oh it's a little joke, Don't actually buy, but actually buy" These people make things 100 times worse for those who know what is really going on, how to avoid the worst of it, when to bunker down and how to keep them and their families safe

More importantly, News Media uses idiotic measures to keep themself on the TV, using "Anti-Vaxxers" "Anti-Mask" or other harmful groups that seek to undermine simple facts to keep the masses safe, not only will you be trying to push their stories that will not cover a situation fully, but it will also push these dangerous beliefs into people's faces

It's a new generation, News Media refuses to Adapt, Improve, or Change their practices to engage with their audience, They lock their comments or ways to say "Hey, that's just not true" and use that as a way to boost their views, with revolting Clickbait that is just a lie or other means to lure in a viewer, these means are shunned and publicly called out on the platform they seek to have an edge on, once again proving that they refuse to admit they need to change to succeed, These changes harm Australians to please greedy corporate members and leaders who still don't see that trying to cheat the market will never succeed, they will never be satisfied with what you do until you force people to only watch them for News.

You are telling Australia that it should never question lies, it should never change, discuss different ideas, it should stay in a bubble, and that is something you should be ashamed of.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam,

Purpose

As an individual I am forwarding my opposition to legislating the News Media and Digital Platforms Mandatory Bargaining Code.

Introduction

In the past, legacy news media businesses had a monopoly on the transmission of information and how that information was presented. With the advent of the World Wide Web *vis a vis* internet, the barrier of entry of providing news services decreased and competition between news sources increased. Consumers became free to choose from a far greater variety of news and information sources that catered for different preferences. Over time legacy news sources have found themselves with more competition and balance sheets trending towards the red rather than the black. Under standard microeconomic theory, losses or declines in revenue indicate that the business is not allocating resources such that they are adequately serving consumer needs or wants. They are failing to innovate and adapt to the same changes in market conditions that nearly all other consumer facing industries have needed to adapt to.

Digital platform service companies: Search engines such as Google and social media networks such as Facebook provide their customers with an efficient means of accessing and discussing information that they want to. Their respective dominance in the market represents that they provide services that their customers want when there are *ad numerum* competitors. Through additional services such as YouTube, with a very low barrier of entry and cost, customers are able to create and distribute their own content to other customers who wish to consume it. The magnitude value that the service creates is inferred from the popularity of it.

Legacy news organisations are failing and have petitioned the government for an egregious degree of market intervention as described by the draft legislation. As Australia is a market economy where there is a long standing tradition of governments ensuring a level playing field, legacy news media organisations and businesses should **not** be granted special privileges such to:

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Submission by a member of the public who requested anonymity

- Engage in rent seeking activities;
- Putting data privacy at risk;
- Interfering with market competition and consumer preferences
- Expending resources solving a problem that has already been solved

Sections 1 to 4 further elaborate on the points above.

1 Search engine externalities

Search engines seek to provide consumers with efficient access to the information that they want to access. Search engine companies invest significantly in the development of algorithms to best link users to the website they would like to go to.

Websites, and those websites of news media business, freely provide data of the website to other services such as consumers' web browsers or search engine web-crawlers. Web-crawlers allow for the indexing of websites such that when a consumer searches for information that website could be presented in the results. An unindexed website can't be presented. Typically websites want to be indexed and highly ranked in search queries such that user traffic is directed towards them. A tag can be put in a website's metadata if a company does not want their website indexed by a search engine. Through operation of search engines provide positive benefits to both the user of the website and websites that want traffic directed towards them.

Websites gain a positive benefit from being indexed and having traffic directed towards them at no cost. Under the draft legislation Google would be forced to pay for a positive externality that the news media businesses receive. This is an absurdity. A situation of a lesser degree of absurdity is that the news media businesses should pay Google for the traffic Google directs to them in addition to the processing and analysing of data they freely provide to Google. If the directing of traffic to news media businesses caused a cost to them, they can simply put a tag in their metadata stating their websites should not be listed and/or reject traffic directed to them from Google.

Under the draft legislation Google has a permanent order to not withdraw its free and beneficial services that it currently provides news media businesses. This amounts to granting news media business a free pass to engage in rent seeking practices. They will gain

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income from Google without providing a benefit and any incentive that they have to innovate to better serve consumers would be void.

2 Data privacy protection

Digital service platform companies collected highly detailed personal information and sensitive personal information on their customers. This is either collected through use of search engines or communication services such as email or direct messages. Examples include searches or communications relating to medical conditions, financial status or political affiliations. These digital service platform companies in many jurisdictions are highly regulated in regards to what they can do with personal information and sensitive personal information. Significant fines can be levied and erosion of customer confidence can take place for misuse of this information. While companies like Google collect this information, they have not been found to seriously misuse it.

Under the draft legislation companies such as Google would be forced to disclose and possibly transmit the information it collects on its customers to third party new media organisations. There is no indication in the draft legislation on limiting this privilege. News media organisations do not have the same incentives as Google to not misuse the data as reporting information is the primary function of news media businesses. This puts the sensitive personal lives of both public figures and ordinary individuals at risk of being made publicly available and causing irreversible and detrimental harm.

Limitation such as deidentification or anonymisation of the data will not ensure that privacy is maintained as it is trivial to reidentify individuals by cross-referencing data from other sources such as data that can be purchased by credit rating organisations or data aggregators.

3 Undue competitive advantage and analogous tortious interference

Search algorithms are updated to better serve information to users of the respective search engine. Under the legislation legacy new media organisations will be provided an undue competitive advantage over their less established competitors and new entrants by forcing Google to notify them of changes to algorithms in advance of implementation. This allows legacy news media organisations to alter their business practices at minimal cost and gain advantage when they have provided no additional benefit to consumers. While less

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established competitors and new entrants have to expend considerable resources to innovate and find ways to best serve consumers.

Digital service platforms alter their services to best serve their consumers and in turn consumers choose to continue to use their service if value is being provided. Allowing new media organisations to “*game the system*” by providing them advanced notice to changes to algorithms amounts to interference between the tacit contract that digital service platforms have with their customers by introducing inefficiencies in the provision of access to information. This places an uncompensated cost on both the consumers of the digital service platform and the digital service platform itself.

4 Market inefficiencies and tragedy of the commons

Under standard economic theory, it is the role of the government to act in order to maintain the commons. If the provision of services that news media businesses provide constitute a common good and the advent of the internet *vis a vis* digital service platforms are causing harm to the commons that are required to be remediated, it is a fact that remedy has already been provided by the ABC and SBS news media organisations. The ABC and SBS convey information by radio, television and the internet. Their existence is common knowledge and their websites are indexed by all major search engines allowing for efficient access. Granting special privileges to news media businesses is not required. Maintaining their existence through market intervention adds to the existing costs and burdens that consumers endure supporting the commons.

Conclusion

Legacy news media businesses have failed to adapt and innovate to keep up with changing consumer preferences and market conditions that all other industries have with the advent of the internet. In response, legislation has been drafted to grant them extraordinary privileges to intervene in the market to primarily redistribute wealth from entities that had been providing them with a positive externality in the form of user traffic. The draft legislation should state the opposite; the news media business should pay digital service platforms for the service that they had been providing new media business for free. The draft legislation further provides privileges such as the forced transmission of user data that will undermine consumer privacy; grants undue competitive advantage through forcing digital service platforms divulge trade secrets; interferes with the efficient provision of services to digital service platform customers; and further creating burdens by expending resources on solving a tragedy of the commons that has already been solved by the

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existence of the ABC and SBS. For these reasons, I oppose the draft News Media and Digital Platforms Mandatory Bargaining Code.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi there I am expressing my concern for the proposed bargaining code that will allow media companies to unfairly control YouTube content

This should certainly not go ahead as the media in its current form is failing because no one is forced to watch their content anymore and not many people really care about the things they do and say.

If the media want people to view their content they have to earn it, not forcefully and manipulatively take the spotlight/ hide silence opposing views and opinions.

But in the end everything is about money and money seems to win ...so this is probably in vain but please don't let corruption like this happen.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Dear ACCC,

>

> I have seen the notices from YouTube and Google informing me of the media's push to change their broadcast share. I am not usually the type to voice my opinion on law changes but since our implied freedom of speech is under threat, I feel that I have no other choice. I do not agree that third party companies deserve to know my viewing habits or interests without my permission. Nor do I agree that they deserve to be paid more. I do not want to listen to an agenda only the Murdoch Media like to push. I for one like to have my views challenged.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

Just a small message,

I believe that the new law and subsequent changes should not go through.

This is because it would prevent the natural selection of the news industry. The big players have been doing the same thing for a long time, and they want these changes because they intend to continue doing the same thing without evolving or even recognising their audience. They want to force their messages and content onto the youtube audience, who do not want to receive their messages.

I hope you understand,

Thank you for reading my short message,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC

I do not want this, the news media is a business and if it is going to survive in this age of tech, It should be done outside of government. No business should hold power over another business.

If this bill gets passed, all different areas of media such as: artist, 2d/3d animation, CGI, Songwriters/singers, other countries content, live updates, the truth and all sorts of different content, will be buried under a pile of what they think is "content" and will infringe on the freedom of Australians and other countries content.

They have already buried this email and the information regarding this information under a pile of articles and this WILL happen again if they get the power over these social media sites.

It will destroy a lot of people and destroy a lot of Australian tax income from these platforms. The news media do not care about anyone apart from what they want to put out.

They are a screaming child and cannot be trusted, nor will I ever trust these news corporations for all the bs they put out daily.

The miss information about the virus and about the words they write about our politicians is just one of many examples. They are toxic and will destroy these social media platforms.

Google, Youtube, Facebook are not the best, but they are 100^100 times better than the toxic and disruptive and fear mongering that the news media have created during this pandemic.

Please, Do not let this pass. It will destroy my plans for the future, for building a business around social media. I'm 23, I have finally decided to go to Uni to learn and go for my dreams, But this will destroy those dreams and any potential for younger people to go for their dreams, Such as esports.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> To whom it may concern

>

> I am deeply concerned with the proposed media bargaining code draft bill. As it is significantly targeted at crushing small competitive media outlets on YouTube and thus giving the Monopoly to giant media corporations to push for their own agenda.

>

> I feel that as a supporter for small YouTube channels everywhere that this bill is significantly going to hurt the everyday Australian consumers watching the platform, but as well give power to multimillion media companies the ability to control and promote their own agendas. I feel that this bill will eventually make the words echoed in George Orwell's novel 1984 become a reality.

> We are already living in a trouble time in which a pandemic that the world hasn't seen since the 1900s is vastly and rapidly consuming every day life and it is in this time that it shows the importance of having a platform which isn't controlled by one or multiple media outlets spreading misinformation. The current YouTube platform has shown that it has allowed people to search for information that isn't currently given on news platforms and to formulate their own ideas and views on arguments in the current world events.

> Further to this belief that this proposed bill will significantly harm the Australian consumer is the fundamental underline that the proposed algorithm that these companies seek to use will eventually be used for misleading and targeting certain race, age and socio-economic backgrounds. These concerns are well echoed through the Australian YouTube community in which veiled points of interest are raised over and over again in multiple videos.

> The Australian consumer is spoiled for choice in where they receive and formulate information, it is this large variety of choice that allows the Australian people to be a voice of change in a world that already shows that misleading facts without the proper information and differing views can be dangerous.

> It is in saying so that I throw my full support behind the Australian YouTube community that this bill will significantly harm the Australian consumers' rights and choice in navigating the media landscape. In conclusion, I believe this bill should not be passed.

> Thank you for your time in reading this email

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

How can a democratic country like Australia even consider passing a law that promotes one group over the other? The news already has a ton of resources to create quality content, and if small independent creators somehow manage to make better content, that means that the news should further focus on giving value to their customer base.

Definitely not to create discriminating laws that give an even bigger edge over low budget independent creators.

This is undemocratic, and I sincerely hope this doesn't pass.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

This legislation should not be passed as in regards to competition if large media is failing to attract an audience that is no one's fault but theirs to entice an audience. Further to that media corporations should not be allowed personal search data to use for advertisement purposes, granted there are cookies which is a basic internet algorithm which does not give information to specific corporations instead gives it equally across the internet not favouring a single organisation. This legislation would be extremely harmful especially to content creators who do not have a large following as with a change in the algorithm large media will have a massive advantage over these individuals. I strongly believe that people have the right to watch what they want to watch and should not have these corporations forcing their failing content down their throats, if individuals wanted to watch their content they would either search it themselves or turn on their tv which is still the large media corporations main way of getting information out and they should not be given an advantage especially by legislation.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I do not agree with any of this and I feel like it goes more against Australians and its citizens making us feel like we are trapped and losing out freedom to someone who truly doesn't care about us unless there is money involved.

I do not agree with with they new law that your trying to pass, it seems really stupid that the media can throw a tempa tantrum and act like a child when they don't get what they want, they ask for more money that they have not earned themselves, i reken if they want more people to watch they news change it, update it so It appeals to a younger audience or make it more accessible no these days have time to sit down a watch a bunch of promotional stuff and garbage storys for a few hours just to find out what is important.

I don't think its right that we can just give the media our search detail and change the algorithm on how we view stuff and not support creative idea but promote the same old stuff. I feel like we should have the right to say where OUR INFORMATION is given to.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

I disagree that mainstream media should have access to search algorithms because they could use it to create bias in rankings, effectively artificially forcing opinions (arguably including fake news, identity politics and other Marxist propaganda), and advertising on users. This amounts to an expansion of mainstream media's presence on the digital platforms, a power grab nothing to do with fair remuneration for existing use of their news. Also Google has said that giving a month's notice of algorithm change prevents them from fixing bugs quickly.

I believe the proposed rules are a threat to the existence of Google News. Please study what happened to smaller publishers in Germany and Spain where rules were imposed.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

As of late I have received notice from YouTube and Google claiming the news media of Australia wishes to change the law related to YouTube and its broadcast share. Under normal circumstances I usually ignore open letters and most suggestions to change laws, however in this instance I believe my liberties are under threat and must voice my opinion regarding this matter.

It is apparent to me that news media of Australia and big television networks are falling behind streaming platforms such as YouTube and in turn losing money because of this. As a result of this, I believe they are attempting to push the bill and change the rules to make the rules biased to other sources, providing the Australian news media with an unfair advantage. This has a similarity to when radio was threatened by television, but radio found a way to co-exist, compete in the market and stay relevant instead of demanding the rules be changed to benefit only the Australian News media and not the Australian public as a whole.

If television wishes to remain relevant in a world of technology that is only moving forward, it will adapt and work to overcome the obstacles it is facing. Demanding law changes to give an advantage is unethical and a blatant attack on fair competition. I believe however the news media of Australia will do nothing to evolve or stay relevant and will instead fade into oblivion, which should be permitted to happen.

My request of you is to REJECT any changes to the current law and legislation surrounding mass media and the streaming service YouTube, allowing smaller content creators the same playing field. Current laws in my opinion are, fair, just and balanced, allowing all related parties to grow.

Thank you for taking the time to read my opinions relating to this matter, and I hope you reach a fair and unbiased decision regarding this matter.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Please don't let a few big media companies influence how I interact with YouTube. I'm a consumer. Please protect my rights to choose.

It's pretty simple. The old media companies want to retain their power. They don't care about me. They only care how I can be manipulated into helping them, through money or votes or ideas. I don't want them to have my viewing data. Or to scam the system so most of my viewing options are what they want me to watch.

This is much bigger and more insidious than people seem to realise. This is about who decides on what I watch. How I form my ideas and see the world. Me or giant media corporations. Please fight for my rights

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To the ACCC,

RE: News Media Bargaining Code Draft Legislation

While I support the notion that News businesses should be paid fairly for their content, I don't believe Google nor Facebook derives a significant portion of its income through the display of News and wouldn't be so surprised if they dropped News from their business model.

I don't go to Google specifically for News and if I do there don't seem to be any advertisement obstacles for which Google would earn money.

I certainly don't go to Facebook for News and would reiterate that most sane people don't see Facebook as a place to go to for news.

1.139, 1.140 are written with the assumption that value flows in only one direction from News business to Digital Platform Service. To be truly fair this should be written to imply value is bidirectional.

Furthermore I am not supportive of anything that leaves behind the already disadvantaged; please consider the effect this will have on smaller News businesses.

For this reason I question the eligibility criteria and seek explanation for the \$150k threshold.

We all know small business is the soul of Australia and we are sick of big corporations running the show- this includes large media organisations not just Facebook and Google.

1.74 "information about how news businesses can access any of this data" this sends my alarm bells ringing, while we still have no rigour around data privacy I think this free ticket to data needs to be removed from the legislation.

Data privacy is important to Australians and we don't want News sites personally targeting us with their agendas. We aren't happy with Google's collection of data either.

52S User Comments

"ensure that the registered news business corporation is 25 provided with flexible content moderation tools that allow 26 the registered news business corporation to remove or filter 27 comments"

"ensure that the registered news business corporation can 34 disable the making of such comments;"

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I do not support this part of the legislation because this can be used for censorship.

Yes it is awful to have internet trolls and fake bots but in life we can't pretend evil doesn't exist. We can only shine a light on it, call it out for what it is and overwhelm it with good.

So instead of removing comments that are undesirable, content moderators should post a note beside it saying this is misinformation or this is not reflective of our views.

Everyone has heard that in China they will hunt you down if you speak against the mainstream. Should this ability be granted to News businesses, we will be another step closer to what we abhor.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I don't believe the media should have access to the Google or YouTube algorithms, nor should they be paid more than anyone else on the platform.

It is an equal opportunity marketplace and content creators are rewarded for genuine, original and worthwhile information and videos. If they can't stand on their own in that system we shouldn't prop them up.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

An excerpt from your new response to Google’s open letter: “This will address a significant bargaining power imbalance between Australian news media businesses and Google and Facebook. A healthy news media sector is essential to a well-functioning democracy.” To say that this would help the democracy is extremely ironic. The majority of people on the internet choose not to look at mainstream news sources. We choose to give watch time to those we like. Giving mainstream news media an advantage in a medium that clearly doesn’t like them is extremely undemocratic. And that’s ignoring the already “millions of dollars” that are spent to keep news media already on top (note I am not sure of the validity of this claim).

If it’s not a bother I would like a link to the current version of this law, as the only perspective I have of it has been from secondary sources.

Thank you for your time.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

> I am emailing you regarding the News Media Bargaining Code. I believe that this code will be very damaging to the egalitarian nature of the internet. I also believe it should be dismissed out of hand.

> The news media corporations already have well established infrastructure. They have no right to force their content on to people that don't want it.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello

Considering the pandemic and how many businesses have been affected, it can only be natural to try and legislate incentives and new rules to aid economic recovery. However, to do that at the expense of consumer choice is frankly unethical. Now, most other federal attempts at doing this in other contexts have largely gone under the radar and have subsequently successful. However, this is a newer generation. Who have not only lived through a paradigm shift in the technological revolutions of the 2000s and 2010s, but have also accrued knowledge and know how about their world and what specifically affects their choices, Hence, we have flooded to these cyber spaces where **we choose** the content we consume and share. Additionally, giving us the opportunity to change what we consume and broaden our intellectual horizons beyond one worldview when were challenged by another. Building more awareness of ourselves and others. That ability to choose and have that option available to us is crucial in determining our social and cultural dreams and ideals.

However, this legislation is trying to undermine that choice under the guise of freeing media to aid in the function of our democracy. which is quite frankly hypocritical considering the amount of spin and federal intervention we see and don't see when such freedom is inconvenient to the government. Granted, pre-internet news businesses have been disadvantaged by the rise of digital platforms that have arisen in the past 20. Yes. But that is hardly because they exist and the imbalance proposed by the Digital Platforms Inquiry is disadvantageous. Its because many have refused to truly adapt to the internet; believing a shallow view of creativity and content creation that that these platforms have afforded a generation almost starved of connectivity and actual free speech, that we can then **collectively and by ourselves**, deem right or wrong. Is that not what democracy actually is. Having the algorithm released to the media companies for example, will not drive competition and innovation. What it will do is increase active aversion of the content news businesses want to parade in our faces. If this was truly about competition, then you would be asking for everyone to have this information. However, this only really seems a way to tap into other revenue streams that traditional media have ridiculed in the past, only to realize at a time like this when the majority of people are using these digital platforms very frequently. Now I can only guess the reason for this being pushed (**during a pandemic!**) is that the current prime minister in his former role as the treasurer asked for this inquiry to occur in late 2017. Most intriguing.

2020 has been quite the journey we all never though we would be going on. We have all lost so much. We have all yearn for the lives we had before being comfortable in situation hard to fight and hard to change as young people. Especially when our views and choices are disregarded as naiveté and alarmism (especially on critical issues like climate change). But 2020 has provided has provided a golden opportunity and ability to reset our belief systems and modes of function. To be able to try something new. Maybe something better. Of which the genesis of this is the freedom of consumption and connectivity these digital platforms have afforded us. Something, that the news organisations and corporations and have never provided us and is definitely not in their interest. Our own individual voice.

Again. Is that not what democracy is? Isn't individuality and disruption what truly leads to competition and innovation. I implore the government to reconsider this act.

I would greatly appreciate a response to this email and better reasoning as to how this is beneficial for all of us. Not just cooperations. Because the raegonimic trickle down strategy of incentivizing cooperate economic power and influence is not in the interest of our democracy.

Thank you for your time and attention

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Dear ACCC,

>

> As of late I received a notice from YouTube claiming the news media of Australia wishes to change the law related to YouTube and its broadcast share, under normal circumstances I usually ignore open letters, and most suggestions to change laws, however in this case I feel my liberties are under threat and I must put my opinion forward regarding this matter. It is apparent to me that the news media of Australia and the big television networks are losing ground to streaming platforms such as YouTube and in turn are starting to lose money because of it, and wish to change the rules so that the market is fairer towards them.

>

> This reminds me of when radio was threatened by television, but it found a way to co-exist and a way to compete in the market and stay relevant, instead of demanding the rules be changed for them so they can continue doing what it always had done, like television is doing now. If television wishes to remain relevant in the future it should also find a way to adapt to this new world and new technology that is continuing to roll onward, with or without it, such is the nature of the beast which is mass media and entertainment.

>

> I anticipate however that major media corporations will do nothing and instead fade into oblivion, which should be permitted to happen. My request to you is to reject any changes to the current law and legislation surrounding mass media and the streaming service YouTube, and allow smaller content creators the same playing field, as current laws in my own opinion are fair and balanced giving all parties the opportunity to grow. Thank you for taking the time to read my opinions regarding this matter, and I hope you reach a fair and unbiased decision regarding this matter.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I don't think it's appropriate for the big news corporations to be attacking the livelihoods of YouTubers because they want 60x the amount of their worth in money. It's greed at its purest form.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I would like to say I am totally against this new law proposal.

Everything I or we look at online from youtube news and facebook should be a free choice. I don't believe a big news corporation should run youtube or any media besides their own platform. So I can choose to google Australian news or overseas using youtube or fb or whatever platform I choose. I believe no big news corporation in Australia should dictate what news or information I watch if it only benefits them.

I might be a bit overboard to think this is just as bad as 2 or 3 massive companies price fixing, and the gov is allowing it.

So I would vote against this potential new law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello,

I would like to object to the new media bargaining code relating to google and YouTube.

I feel by passing this code will have detrimental effects on the freedom of speech and fair use of the Google and YouTube platforms in Australia,

By enforcing Google and YouTube to provide unfair financial support to the media will negatively effect the revenue available for smaller creators,

It will also unfairly allow the media to game the algorithm that YouTube uses to determine content for Australian users,

This is completely unfair and will create a monopoly for the media company's and I don't agree with my user data being shared with other parties,

In short, if the media organisations wish to remain more relevant, then let them create their own news platforms, and release content without their click bait titles, and complete rubbish and biased articles,

Feel free to contact me if needbe

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear agencies authorized to receive this communication,

First up, thanks for asking. I appreciate it. I'll keep this brief since I know there are must be 1000's more to read.

I am against this bill for the following reasons:

This bill looks bad, Knowledge of it's existence will undermine trust in the government.

Google has stepped in and publicly addressed the people of Australia on this issue. The way they have painted this; it appears as a deliberate government attempt to interfere with the Australian people's ability to receive unfiltered information by the internet.

Even to (*or especially to*) people like me who don't normally care about this. This bill, if passed, will significantly erode trust in the Australian government. It appears a deliberate attempt to censor information for the commercial gain of a dying industry full of systemic cultural problems.

This bill flies in the face of net neutrality

When Australians access information via Google, they are confident that; besides the content specifically marked to be advertising; has been ranked using algorithms that promote quality of content regardless of its source or affiliation.

Requiring Google to disclose the details of its algorithm to *any* specific party would give this party a *hazardous* level of influence over internet commerce in general.

The Google search algorithm dictates the flow of internet traffic; and is possibly the single most influential system in existence; To allow news corporations specific regular details of this system, is more power than any single actor should be allowed to have.

As for Facebook; go ahead and charge them for information; Facebook is not relied upon as a source of legitimate information in the same way that Google is. Google is trusted by many as a ubiquitous gateway to reliable information that is sorted by merit.

In my view, this bill needs to be shut down and either raised more subtly, or an alternative solution to propping up the news industry be found.

Cheers & Thanks for reading.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello,

I just wanted to say that I believe it would be terrible if the News Media Bargaining Code gets passed. Not only would it give TV and other mainstream media companies an unfair advantage online, but it would also mean that anyone looking to create content on, say, YouTube would find it extremely hard to do so as the mainstream media would have the ability to give us only what we want to see rather than letting us look at everything the site has to offer.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> As a concerned citizen I would like to voice my opinion on why I believe the news bargaining code is unlawful. Firstly, the bill does not give any definition to what a 'digital platform' is however in the bill it states it " is intended to capture platforms that deliver a wide variety of services such as social media services, search engines and other digital content aggregators." I believe this is a discrepancy in the bill which may allow for this law to be interpreted quite broadly and result in a warping of the bills original intent and used in situations where it is not appropriate nor fair.

>

> Secondly, the bill states that "digital platform corporations must comply with minimum standards which require them to provide registered news businesses with advance notification of algorithm changes, provide information about the collection and availability of user data, develop a proposal to recognise original news and give advance notification of changes affecting the display and presentation of news content." This would give news corporations, particularly big corporations, an unfair advantage against small businesses, smaller/alternative news companies and all other websites available on google. You state that "digital platforms may not discriminate between the news businesses participating in the code, or between participants and non-participants, because of their participation in the code," yet how is this possible when registered news business receive this privileged information not available to the users of google nor other websites and businesses on google.

>

> Thirdly, any digital platform should not have to "provide news businesses tools to moderate user comments on their covered news content" - this is CENSORSHIP. User comments by the Australian public should be valued, whether they agree with the news content or not, and in a democracy I believe the voices of the Australian public should be valued (unless these comments are hate speech or particularly degrading towards one particular group or person/s). They are already given this privilege on most platforms regardless, such as social media, and this power should not be extended any further.

>

> WE AS INDIVIDUALS HAVE THE RIGHT TO MAKE AN INFORMED DECISION ON THE INFORMATION THAT IS IN FRONT OF US AND GOVERNMENTS SHOULD NOT IN ANY WAY CENSOR INFORMATION "THEY" DON'T WANT US TO HEAR OR SEE. WE HAVE A RIGHT TO KNOW THE TRUTH AND THIS CANNOT BE TAKEN AWAY FROM US.

>

> This is why google is trying to warn us but of course media tries to shit it down.

>

> Finally, what the Australian audience wants to see should not be determined by the government. That is up to the individual Australian. This advantage given to media companies in Australia is unfair and given the digital age we live in, news content and any content from all over the globe should be accessible and on the same level as Australian media companies. I urge you to revisit the true intentions of this bill and analyse whether it does truly benefit Australians as a whole, as I believe it does not and do not support this bill being passed.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

From reading your website it wasn't clear whether this consultation accepts comments from general public.

As an avid news reader I believe that big news media outlets should not be given any preferential treatment over other websites - Australian or otherwise.

Big news corporations are hurting because they have not adjusted their business model to cope with change. They operate on the old assumptions and struggling to cope with it. Australians don't need to read about world news from an Australian news paper - They can read it from the the news papers from around the world. That's the beauty of digital news.

If news corporations want to survive they need to provide value to consumers. Have you seen the 'quality journalism' displayed by most major news corporations lately? Click bait articles, regurgitated articles about coronavirus with updated figures from yesterday and list goes on. We don't need 15 articles about Megan Markel's Instagram friends, we don't need the latest daily TV gossip. It's also hard to imagine how these 'news' uphold our democracy.

News papers that want to survive in the digital world need to become thought leaders, credible sources on specific issues, have interesting opinion pieces, have real investigative journalism articles. Not regurgitated nonsense that gets ad revenue. Bored retirees could write those articles for fun.

People are happy to pay for the content they want to read. If the news corporations are complaining that they are not getting paid enough - maybe you should question the value hey are providing rather than the price they are receiving. If you can't generate content that users want to pay for than maybe your content and jobs are no longer needed. Nobody is owed a job.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello Accc,

I am a Australian citizen living in Brisbane and I think the new law is a terrible idea it will cut off youtube and give money to people that no-ones cares about any more. We have a right to freedom and signing this law will not prove that we do. So please don't pass this new law.

Many thanks

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

There are some points I'd like considered before this bill goes ahead.

The Search Engine Optimisation section in Australia would be out of work if companies are given access to the Google Algorithm.

This bill would literally wipe out a whole sector of the tech industry in Australia.

SEO companies won't be able to provide their services if they are guaranteed to be out ranked by news media.

Google is likely to not play ball with this and so just stop providing news services, the result is censorship rather than strengthening the Australian News sector.

Australians will not be able to search for multiple sources of news, and this impacts on civil liberties, free speech and democracy itself.

News companies will lose out too, because if Australians can't find their websites then they'll get no traffic and therefore no money, not even from ad revenue. Australian news will be dead.

I think times change and that news services should adapt to the internet and find other ways of making money rather than erecting paywalls and legislation. If you have a real and quality product people will buy it anyway, step up your game, don't hide behind new rules.

Whatever way this goes, everyone has the right to free, open and honest information about their world, and the barriers to that should be reduced as much as possible.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> To whom it may concern,

>

> I am writing to you to address the absurdity of imposing this new law regarding the bargaining code being and the media.

>

> I recently heard about this and my first reaction was that it would violate every Australian's right to freedom of speech. By imposing the views of only a very minute number of media outlets on millions of lives, you are indirectly forcing the public to comply with whatever it is the media wants. This is no different to Mao's China and Hitler's Germany.

> This is purely communism.

> It violates millions of rights to freedom of speech as smaller, less recognised voices are swamped and choked out by the big bosses of media. This law would grant the media the ability to hijack the free market with propaganda.

> If this law were to be passed, what was once a democratic and free governed nation will now become an Authoritarian Communist society. Or at least, it will start to become one.

>

> YouTube is an online platform from which hundreds of thousands of aspiring creators rely on ad revenue and the YouTube algorithm to make a living. Not only would this law prevent hard workers from making money and having a decent financial security to put food on their tables, but this will also result in a global "spike" in homelessness rates.

>

> The only reason this law came about is because the media is short of cash.

>

> Think about the long term, wide spread implications and repercussions before you do this.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

I read the Q&A on the bargaining code after seeing some of these YouTube coverage of it. To be honest, I don't have strong views on most of it - I tend to question whether it would make a major difference to either news organisations or internet companies - the former won't be able to magically drive users to their sites just by getting warnings of algorithm changes, and the latter will still be able to change algorithms and get advertising revenue/data as usual.

Two points I do want to make:

- I strongly oppose the provision that gives news companies the ability to filter, remove, disable or block commenting on their news articles. I assume this would mean that news sites could prevent people commenting on an article of theirs posted on a site like Facebook. People clearly need the right to share and critique news articles - I think restricting this, even as little as allowing news companies to remove comments they don't like, is a huge breach of free speech. Digital spaces are where young people get together, talk, share things with friends now - to remove the right to comment is analogous to a traditional newspaper company having the right to ban unfavourable discussion of their articles by coworkers in a lunch room at work - massive overstep

- Second, I don't think news companies have the right to completely restrict the use of their content on a site like Google or Facebook. If I search for something in Google, I expect to be able to see links to content like news articles - and I don't think news companies are entitled to payment just for me seeing a link to their content. Further, I think it's reasonable that a short several sentence quote relevant to my search is displayed - without paying the news companies. Likewise, I think people should be able to share links to articles on Facebook, and for a small thumbnail + quote to be included, without news companies being paid. This is treating news the same as literally any other web page, and I feel constitutes fair use of their content. To prevent people from sharing links to news companies on Facebook is again an unreasonable limitation on freedom of speech. I don't think that internet companies should be allowed to wholesale reproduce news articles on their sites.

I'm happy to provide more feedback if you're interested, and I certainly see the need to have independent news media, and a more sustainable funding model for them. They're clearly important in the fight against fake news. I just don't want to see that funding at the expense of our ability as individuals to freely search for, share and comment on these articles.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I am not Australian, I am American, but I watch several Australian YouTubers who will be hurt by The News Media Bargaining Code. News was never what YouTube is about. YouTube is about YouTubers, YouTube content, not stuff that you could see on TV. Of course,

the news is welcome on YouTube, but they should never be the focus. And, if this law is passed, then other countries may follow suit, turning YouTube into NewsTube. I run two YouTube channels and I do not want my videos or anyone else's driven out of public

view by media corporations. I don't want to have to use the search bar to find videos that would be in my recommends because my recommends are full of news.

Please reconsider the code. It will hurt the entire world, not just Australia.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I would encourage this legislation be discarded for the following reasons:

1. Content aggregators provide free services, and that service comes with a cost which they pay for through advertising / data collection. If news organisations did not believe it was beneficial to them to be on these platforms, they would not be on them already. This seems like an attempt to double-dip, deriving a benefit from being on the platform while also being paid for the privilege of having their content be promoted more widely.
2. Content aggregators do not stop users from visiting news websites (Quite the opposite - They drive traffic there), unless news websites specifically generate content that only lives on the aggregator (This is only relevant for social media aggregators - Search services only provide a headline and a brief summary). If a new organisation has produced content specifically for a content aggregator, they've associated a benefit with being on that platform and engaging with users on it. Again, this would appear to be an attempt to double-dip.

In the event that the legislation goes ahead, I have the following issues with the specific implementation described:

1. Targeting of eligible organisations: International news organisations which also have articles relevant to Australia, blogs, Youtube channels, and small regional organisations will not be able to take part in this, further entrenching large organisations. Even more concerning to me is that the ABC and SBS are not entitled to any remuneration.
2. Unfair burden of requiring content aggregators to notify news organisations of algorithmic changes in advance: This may be impossible for machine-learning based black-box approaches, but this is difficult even if not - This requires tech companies to review and test all development work with an eye to whether it will affect a few specific companies, and adjust their release schedules accordingly.
3. Unfair advantage from advance notice of changes to search algorithms: Normally, these kinds of changes would not be discussed publicly in advance. While I'm sympathetic to the plight of organisations succeeding or failing at the whim of an algorithm change, I don't think the answer is to give only a few specific organisations advance knowledge of upcoming changes.
4. Data privacy: It is unclear whether or not the content aggregator will be required to share with the news organisations information they have regarding their users. The wording here is "information about how the registered news business corporation can gain access to the data mentioned..." This wording, given the rest of the code, does not give me confidence that an acceptable answer will be "You cannot."
5. Stifling of conversation: The code requires that content aggregators provide news organisations with the ability to disable / filter comments on their official pages. Most of these news organisations do not provide the ability to comment on their sites already, and disable it on aggregators which allow it (e.g. Youtube). At the moment comments on content aggregators are the only way to discuss many articles, and link on the official page should be the best place to do so, rather than forcing the conversation to be fragment across the platform.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi

The ACCC has invited submissions from interested parties to provide their views on the draft news media and digital platforms mandatory bargaining code.

I wish to make a submission in relation to the Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code) Bill 2020.

Under the draft code the ABC or SBS are not able to benefit. This is a serious flaw.

Whilst purely commercial news outlets are disadvantaged in terms of the advertising revenue, the real issue is rewarding news organisations for their journalism. Australia has limited news outlets. We need more journalism, whether they are commercial organisations or public funded. Gaining advertising revenue is a related issue but not the main one. With this key point in mind, the proposed Bill fails to take into consideration the journalistic efforts and costs incurred by the ABC and SBS.

Part of the aim of an exercise of this nature should be to provide an incentive for all news organisations to produce high quality product.

I propose an alternative model to cover the two public broadcasters rather than the recommended all or nothing approach. The following remuneration could be applied.

Commercial Media Outlets – receives 100 per cent of the revenue from the digital platform service.

SBS – receives 75 per cent of the revenue from the digital platform service. SBS generates part of its revenue from advertising.

ABC - receives 50 per cent of the revenue from the digital platform service.

The suggested revenue percentages for the ABC and SBS are debateable however these is a clear need to encourage and recognise their core business. Being retired I am about to use and assess the various news outlets more than most. The ABC and SBS generally produce quality news items. This often cannot be said for some commercial news outlets.

Also providing additional revenue to the ABC and SBS may reduce the contributions that taxpayers make to these organisations, although it would be undesirable to reduce their overall funding.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I seriously disagree with this new law that is being passed.

We can already see all the news outlets covering up the story of the new law or twisting it to make it seem like a good thing for their own personal gain.

This being passed would kill the new creators chance at getting an audience and lower everyone's pay.

Just because the media can't change or adapt to the changing world, doesn't mean they should try to take down or twist our new one.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

I am an Australian citizen and I am writing to voice my extreme concern over the proposed NMBC. I cannot fathom how this piece of legislation can be both seriously proposed and treated as anything other than a shameless power grab during a time of crisis.

The NMBC is an attempt by one group of closely related corporations to wrest control of private intellectual property and market share from another, unrelated corporation under the guise of "well meaning" legislation and "fairness."

I, for one, am an avid consumer of independently created content across social media platforms and I do not condone legislation that would enable media corporations to circumvent my ability to find said independent content. This is both blatantly anticompetitive and breathtakingly greedy.

It is not my responsibility nor the responsibility of Google/Alphabet to bear the burden of another's failing business model. It is NOT the place of the Australian Parliament to surrender my ability to access independently created content to a failing media oligopoly.

Thankyou for allowing me to voice these concerns and for your time taken to read them.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Hello,

>

> I'd just like to say that this new law being implemented is extremely inappropriate and will be very harmful to smaller creators who are depending on YouTube as a career, and it disadvantages viewers by forcing them to consume media made by multi-million dollar corporations because they are struggling to connect with the modern generation. I believe that the new policy means that smaller creators will not be able to reach as much of an audience because the news media basically wants to change the algorithm on YouTube to put their content at the top, which is unfair and unethical towards independent creators. This is basically because the news media are losing their ability to connect with newer generations, and also means that there is a lack of independent and differing opinions and voices because of those people's inability to reach mass audiences because they want to play around with the algorithm. It's unfair for those people to be punished because of the media's inability to reach these people, when there are many other ways that they can use in order to promote their messages that will reach a mass audience without having an effect on those who are trying to make a career out of YouTube

>

> Please don't punish smaller creators because big organisations are unable to reach a new audience. Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam

I'm submitting my opinion on the new code that may give large media corps unfair advantage over us small youtube creators in Australia. I have worked long to get a small foothold in this digital platform and will not be happy if large corps are given an unfair advantage over myself. I create small stories on things none of the mainstream media cover and I have no intention of competing against them. So why would they be given advantage as to prevent me from growing my channel in the future, I understand the problem of fake news being made with no checks and balances and agree with the code in that regard but please take into account us small creators when debating this. I don't want to be restricted by what I produce or be threatened by law to not be free to express my creativity that would otherwise never get a run by the big media players.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The bill that concerns the change to the access to information that media organizations have on YouTube will impact small creators on the platform and homogenize the freedom of expression and learning that we can gain from the platform. I do not believe that the proposed changes are necessary or beneficial.

Thank you for your consideration,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello whoever receives this I am an avid viewer of YouTube and I don't think giving the media control of everything and then forcing YouTube to pay them 60x the amount is absolutely unnecessary. This isn't reasonable and if they or whoever it is goes through with this law it will stop smaller channels from growing and it will ruin my viewing experience.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To the ACCC,

The proposed News Media Bargaining Code, is an underhanded attempt by biased news corporations to protect their interests at the expense of content creators online. Furthermore, it will have a negative impact on the political education and awareness of the Australian public, as the majority of news services in Australia are biased to favour large corporations and a trickle-down economic model which is currently shown to be counterproductive in combating climate change, a very unbiased existential crisis that all humans face. This bill would be a slap in the face to young Australians especially, who have learned to know better than to trust news services only interested in getting those who will grant them bigger tax cuts, into office. Its passing would show that the parliament is completely out of touch with our interests. Do NOT allow the implementation of this proposed code.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

I am an Australian resident living in NSW, and I was reading several articles about the code. I am worried about the excessive interference in the free market. Specifically:

- According to some articles the code would seem to force internet companies to platform news media businesses equally. I think that for the same reasons that different news media have different slants and the code does not force the different new medias to provide equal platforms to different point of views, so should the different internet companies be free to select which new companies they want to promote and platform, and which they would want to exclude.
- The code also seems to further damage net neutrality by making search engines share more information with some companies and not others, this may in fact reduce competition as any new news company would not have the same advantage.
- I am also concerned about my private information being released to third parties. I did not consent to provide any details too. Sharing my information with any news outlet should be left to my decision, and I don't trust all the different news companies to have the same resources to protect my data as others.

I hope you take this into consideration, and amend the suggested code.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi,

as a small content creator on the YouTube platform i think this is completely wrong. Mainstream media is trying its best to bully its way around to stay relevant.

THIS IS NOT RIGHT.

This will have a large scale impact on any form of what we call "free speech" today if it can even be called that anymore as the world is so censored already.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I believe this bill should not be passed as it will allow the Australian media to censor and destroy the Australian YouTube ecosystem by forcefully presenting their content causing smaller creators who make a living on the platform to lose their income. This will also prevent the Australian viewer/ user from accessing the content they enjoy, I don't believe I should be forced to pay for a VPN just to watch what I want to watch on a platform that is supposed to be free for all. I believe this bill is a pathetic attempt to save a dieing industry by forcefully subdueing and taking over the competition, damaging and suppressing the creativity of those young and old who wish to persue a career on the platform. If successful no one will continue to use the service and there will be a loss to the economy from all of the Australian YouTubers that lose their jobs and advertising potential to the viewer.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Please look into independent Australian media outlets, (such as Ausdroid) who will be irreparably harmed if the bargaining code is put into effect. It puts the power into the hands of the larger media companies at the expense of the smaller.

Larger companies know smaller companies will not be able to band together to bargain effectively.

Individual traders will be harmed as they will not be able to bargain.

Keep the system fair and equitable, as it is already.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello Katy,

The proposed news media bargaining code legislation is deeply disturbing and by all accounts (except those proposing it, obviously) an attack on democracy.

This legislation, if passed, would unfairly give priority to large news corporations across the most viewed internet sites in the world.

News Corp, Seven West Media and Nine Entertainment posit themselves as pro-democracy institutions and yet are supporting a bill that any reasonable person would only view as totalitarian.

It is an attempt to regain the influence they once held on public opinion, not through adaptation but through forcing us to come to them for news. Anti-consumer, anti-democratic and anti-competition.

Kerry Stokes, Rupert Murdoch etc preach a philosophy of the "free-market" and yet as soon as their interests come face-to-face with competition they want to force legislation through parliament that is the antithesis of "free-market" values.

And if that wasn't enough, the bill, if passed, would demand tech giants like Google to hand over Australian citizens **private** data so that they can turn a profit off of that too.

Please call these sycophants out for the frauds they are and vote against this bill. I am sick to death of the influence these corporations have in this country. Please do not give them even more influence.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello ACCC,

The news media should in no way be able to have any influence over other online platforms. They not only push their own agendas, but this will cause up and coming youtubers to fail. There's only a certain amount of ad revenue available and giving the News Media access to the majority of it is a bad idea. They will exploit the algorithm while taking all the ad revenue they can. They should adapt and create their own service/channels or platforms, a failing business model is not reason to get a shortcut or in this case, a master key to success.

Thank you for your time.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Upon hearing the new proposal to have the companies like Google, Youtube etc be forced to pay for the oligarchy that is news media in Australia is abhorrent. News media is already biased in unbelievable ways towards conservative parties, and this bill will only make it worse.

Please do not allow this bill to go through. Competition is needed for anything to thrive. If this bill is passed things like climate change and rational economics will tear this country apart.]

Regards,

An incredibly concerned citizen

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Officer,

Here are some reference numbers I have been given in prior years.

Your reference number for this matter is [REDACTED]

The following pictures will take you down memory lane, but basically the deliberate attempt to remove then put on the side, then hide in sub menu upon sub menu

was the beginning of many attempts by the Google back-end search **algorithm oligarchy** to disrupt the normal flow of web traffic around the world.

Then attempts to mess around with page rank criteria, then attempts make SSL / HTTPs website mandatory, then by not redirecting

Google.com to Google.com.au and then by not redirecting google.com to google.co.uk if you reside in the UK etc, etc etc...

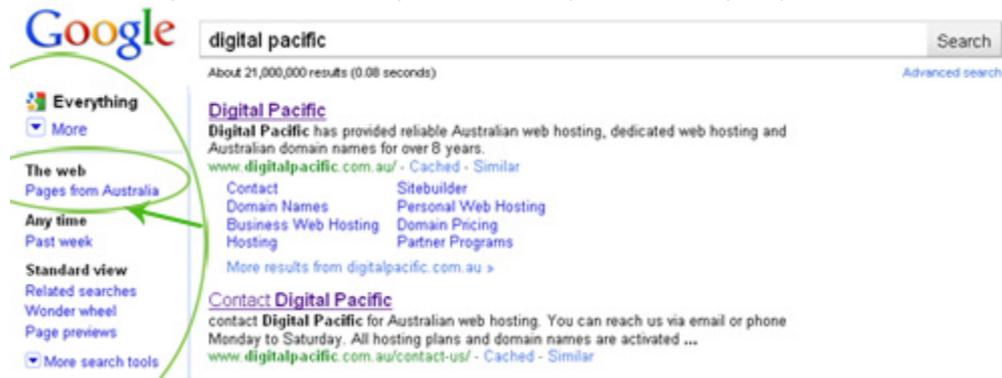
These are the first steps in anti-competitive battle that damaged the News & Media & Reporting groups around the world.

etc...etc.. etc...



News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity



Google digital pacific Search

About 21,000,000 results (0.08 seconds) [Advanced search](#)

Everything
More

The web
Pages from Australia
Any time
Past week

Standard view
Related searches
Wonder wheel
Page previews
More search tools

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Digital Pacific has provided reliable Australian web hosting, dedicated web hosting and Australian domain names for over 8 years.
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News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello,

I find this proposed law anti-competitive, dangerous, and immoral. Please put an end to it's consideration by legislators. The internet must remain as free and unrestricted as possible, especially when government intervention here will not aid the vast majority of consumers.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good Evening,

I would like to provide my views on the draft news media bargaining code legislation.

Having read the draft legislation, and with due consideration of the current context within which the legislation has been drafted, I would like to express my grave concerns. Broadly, the grievances I have are discussed following.

Fundamentally this legislation is predicated on a misapprehension of the interaction between news media, indeed any online entity, and digital delivery services. Revenue potential for news media is ALREADY substantially improved by indexing of content on digital delivery services. By virtue of indexing content, digital delivery services direct traffic and potential revenue to websites. News media, similarly to other online entities, are then facilitated an opportunity to derive revenue from the increased traffic provided them by digital delivery services.

Establishing a revenue criteria is anti-democratic in that it privileges established news media. Enacting the legislation provides an unfair advantage to established news media over small business and up-and-coming news entities. In an increasingly interconnected world, we find ourselves seeking journalism from numerous sources, accessible via indexed search engines. Until the advent of the internet, limitations were placed on the range of public opinions published by the leading news agents. Indeed, there has been nothing subtle about the campaign of agenda driven news dissemination by leading national corporate news agencies such as NewsCorp.; The most recent two decades has seen an explosion in diversity of published opinion almost everywhere; the exception being archaic print and television media businesses. This legislation will provide ongoing support to a dying 20th century industry.

Privacy of user data is not able to be guaranteed under the proposed legislation. News media exhibit an unequivocal influence over public opinion and politics. The legislation makes access to individualised user data a foundational component of the interactions between news media and digital delivery services. Provision of personalised data to a machine of public information control is an egregious breach of the privacy of Australian citizens and will have far reaching implications on. I recommend the legislation, at the very least, be redrafted to omit clauses relating to compulsory provision of user data.

News Media content will be artificially boosted in comparison to other online entities. This legislation confers an advantage to established news media over other entities which host content of similar character to that which appears in indexed searches. This law will provide unfair advantage to news media to ensure that they maximise their content with the digital delivery services algorithms.

This reeks of crony-capitalism. Those who influence public opinion and, as such, the government have lobbied for a bill which provides them an unfair advantage upon which they are able to sustain their waning relevance and revenue.

In good faith,

An Australian citizen and consumer of news media

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good Afternoon,

After reading up on the new News Media bargaining code that was drafted on 31/7/2020, my expectations for the current sitting government has been set even lower. It is honestly appalling to see this pushed through during a time where much political activity can fly under the radar.

The Corporate Media in Australia has had unparalleled control over the formation of public opinion on key issues for decades. That control has been challenged by new independent media on Youtube, and sites that are found on Google. The changes that would occur if this new code is passed into law would hand the control back over to Corporate Mainstream Media, reinstating their total monopoly on public opinion.

Giving access to key information on the search algorithms on Alphabets platforms would give Corporate Media companies an upper hand over all competition. And since it's quite obvious that much of the Corporate Mainstream Media has a bias toward one Australian political party, any opposing views or information would be shut out, and made much harder for people to find.

So, if the Liberal party actually has any form of respect for a "fair go" for all media outlets, then you should make all media outlets play by the same rules.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

My vote is against the ACCC draft legislation. I believe that imposing Australian news media businesses onto digital platforms is against democracy and freedom of speech.

Digital platforms should remain as neutral as possible even though I understand that nothing is 100% neutral.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I'm writing to formally express my disapproval of the proposed legislation for the News media bargaining code which in my opinion is a gross breach of fair media coverage. In particular I cannot see how it benefits anybody except the traditional Australian media outlets, and represents a failure for them to respond to changing trends. As such it hurts the consumer and degrades our trust in the traditional media industry, and I will not support this legislation.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam

Your website states that you are accepting written submissions from interested parties on the proposed legislation above .

As an Australian and a news and media consumer in Australia, I believe I qualify as an interested party and make the following submissions.

While I do not support the monopolisation of the market by capitalist giants such as Facebook and Google I also do not support the current state of news businesses in Australia.

Currently, and for some time now, the Australian news industry has been dominated by a few key entities who use their positions to disseminate their own political, environmental, and general views to influence the public.

With the current state of affairs with how Facebook and Google prioritise information for consumers, they are able to provide the most relevant information for a particular consumer, reducing the particular hold of Australian media outlets on the public if only slightly.

The proposed changes would only serve to increase the power held by Australian news industry which cannot be seen as supporting independent and democratic values.

Further, the public is aware when they are providing their information to Facebook and Google of the somewhat nefarious uses it may be put to. By adding the additional element that Facebook and Google will be required to pass this information on to the news and media companies and that this information does not seem to be being made widely known to the public makes this proposed legislation seem a sneaky and underhanded way for the Government to further advantage their corporate friends.

I strongly oppose the proposed legislation in its current form. If it should be proceeded with, it should be thoroughly reviewed and altered to ensure that the independence it is supposed to uphold is actually improved.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi ACCC,

This code hits on some good and fair points,

but its implementation comes across archaic.

Yes, a healthy news media sector is essential to a well functioning democracy,

but legislating a requirement for negotiation for compensation of the new media sector comes across as the wrong way to go about this.

The main argument for this is due to indirect value added by the media sector to these platforms,

this suggests that there should be better tools in place to identify the fair contribution of original content on a platform, not a blanket indirect negotiation for compensation for value added,

the legislation to identify original content is the part of this draft that needs more work invested so that the other components for compensation can be better justified.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I strongly disagree with this bill in concept and practice.

This is clearly anti-competitive behaviour with financial aims by media organisations. I beg this not be passed

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I'm only an 18 year old but I think this code is blatantly dumb. News companies are scraping for money and attention because people aren't reading or watching it as much because they don't like it, so the government forces completely innocent digital platform corporations to advertise it for free, and not only that but obstruct people's privacy by letting them get our data for free?

The problem here isn't that the news companies need free promotion, the issue is that the people need to be interested in the news, which they are not at all! Look at the 1% that google found people searching related to current events!

I know my opinion has absolutely no effect and this will probably go through anyway, please reconsider this stupid code which prioritises the already corrupt Australian media more than it already is. It just induces anger and disunion between the people of Australia.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi there,

My name is [REDACTED] from [REDACTED] and I do not agree with the draft of the News media bargaining code. This code is unacceptable in a multitude of ways for me but in summary, I believe that this code gives undue bargaining power to news organisations within Australia and promotes rent-seeking behaviour. Google and online platforms, in general, are private platforms. As such they should determine for themselves who they allow appearing on their platform and what they pay for especially when (given the existence of ABC News Australia) they have ready access to free news content that already fulfils their news needs.

This code is quite clearly meant to shelter outdated news organisations through government protections that shield them from their lack of innovation. This code is an appalling attempt to abuse the role the ACCC has in a blatant last-ditch effort to line pockets of private news organisations that refuse to adapt and perform in an online environment.

If they want to be paid for their content they should produce content Australians want to read and reduce the costs of actually producing that content.

As it stands the basic content that you're seeking to charge for is already widely available for free via ABC News and any additional entertainment content produced for private citizens should be paid for/valued by the users of the platform (if not the platform itself). Not the government & not the ACCC.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Despite much searching I am unable to find how to reply to the self serving and inaccurate 'open letter' from Google. I wish to add my voice, even as a long standing google user, to protest about their misinterpretation of the policy advocated by ACCC.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi

I am an Australian small business operator and I would like to confidentially declare that I support the ACCC's Bill for an Act to amend the Competition and Consumer Act 2010 in relation to digital platforms.

That is all.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

This bill incentivises digital media platforms to remove snippets (usually one to one and a half sentences) from links to content by registered news sources, which will reduce traffic and thus reduce the news source's advertising revenue and subscriptions.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I cannot believe that a ‘news media bargaining code’ could ever be conceived in this country. I am ashamed in the reckless and predatory motivations behind this. Allowing big news companies to take an unfair advantage over smaller content creators is the most disgusting act on this site. With this you just letting another interest group control YouTube which is a site about the freedom to share media. I couldn’t be more disappointed with the backwards thinking of these legislators. It would be a sad day if this passed and would mark the end to Australian entertainers engaging in their audience and giving us a presence on the internet.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Rod and the ACCC,

The planned policy regarding google and youtube is viciously unAustralian, horrifically biased towards major conservative media companies, and is a disruption of our liberties in this nation.

We are not China. And we are not Murdoch's puppets. And nor should the ACCC be.

I urge you to block this policy, to protect the voice of the voiceless in this great nation of ours.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I am writing this email to voice my opposition to the egregiously dangerous material detailed in the proposed “News Media Bargaining Code.”

As it stands now, the bill is an assault not only on Australian democracy, but democracy everywhere.

If online platforms like YouTube and Google are legally mandated to disclose the inner workings of their systems to large news publishers, then Parliament would be effectively enabling these large news publishers to unfairly rank

their content at the top of Google and YouTube search results, strangling independent creators without the same access to knowledge.

Not only will independent creators be beaten to the top of Google and YouTube search results, but views that might run counter to these large news publishers won't, by design, see as much light as the views large news publishers

want to push, suffocating open debate.

If that wasn't dangerous enough, the proposed law also jeopardizes the privacy rights of YouTube viewers by requiring that YouTube hand over vast amounts of private user data to these large corporations.

I can only imagine what the global implications would be if this proposed bill became law. An attack on democracy anywhere is an attack on democracy everywhere. For the sake of democracy, I urge you to do anything in your power to

make sure this bill isn't passed.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi I write in as a concerned individual,

From my understanding of the code, it will give news media corporations more power which I appose. These corporations consistently avoid further regulations and guidelines, being allowed to publish blatant lies which negatively influence our political system and furthermore democracy. Why would we want these corporations to be allowed even more control and money when they are not even held accountable for their actions.

Thank You.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

While I give permission for contents of this e-mail to be published publicly, I humbly ask that my name and e-mail remain confidential.

I have been reading through the proposed bill of The News Media Bargaining Code and several issues have arisen upon reading the bill. The first one I'd like address is:

minimum standards – which require responsible digital platform corporations to provide registered news businesses corporations with advance notification of algorithm changes, information about the collection and availability of user data and advance notification of changes affecting the display and presentation of news content.

First of all, as an individual I have contented to YouTube/Google and Facebook using my data. By forcing this law, I believe it not only as an invasion of privacy by my government but an act of oppression/authoritarianism. How does this make us any different from China? How long until "The Great Fire Barrier of Australia" (a likeness to The Great Firewall of China) is active?

Second; do you want Australia to be a laughing stock to the world? Forcing these digital providers to give up their algorithm would be like giving up business secrets. It is their intellectual property and you are demanding them to hand it over. They will fight this on every turn at the cost of Australian Tax dollars. Dollars that we as a nation should not be wasted in this trying time due to COVID-19. If main stream media is worried about smaller creators getting more attention then perhaps instead of putting restrictions on the people of Australia maybe you should create a high standard for new outlets to adhere too. Make the news outlets provide source information links, provide proof (scientific/professionals) with links for people to research on their own. Force news outlets to tell the truth regardless of their agenda (political or social). Then maybe Australian's would use Main stream media again because they would be able to trust it once more.

For a news business corporation to participate, it must be registered by the ACMA. The ACMA must register a news business (and the applicant as the news business corporation) if the applicant had an annual revenue above \$150,000 in the most recent year or in three of the five most recent years, and the news sources comprising the news business:

AND

• operate predominantly in Australia for the dominant purpose of serving Australian audiences.

What happens if someone who has just started out in Journalism does investigative reporting and wants to build their own news business? What if they can't get an annual revenue of \$150,000? Does that mean Australians will be unable to search to find them? Even if their reporting is accurate and truthful? What if they don't click bait their audience? How does this help them gain a respectable reputation? Wouldn't this restrict the Australian of earning a living? Why does a main stream media outlet automatically get preference over someone who puts in more work? What if the independent journalist publishes their story and main stream media plagiarise it because the everyday person isn't able to see/search for that independent journalists story?

A local business of a foreign news business may satisfy the Australian audience test if the local business operates predominantly in Australia for the dominant purpose of serving Australian audiences. However, a global news business that only occasionally produces Australian news content will not satisfy the test.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

What has me worried about this section is the last sentence. Right now, I am currently watching several independent news outlets that are covering what is happening in America. For I am no foolish or naive enough to believe what happens in America stays there. No; our country is influenced by America, their politics and social culture. So, my question is will I not be allowed to view those outlets anymore because they do not satisfy this test? Will global news be restrictive? If so, why?

The responsible digital platform corporation must ensure the requirements set out in the minimum standards are met.

Digital platforms like YouTube will not be able to meet this. More than 1000 videos are posted every minute. To sort through that data would require a level of man power they do not have. More so if other countries try this law as well. My advice, ditch this wording or create an organisation within our country that reports said videos; thus, creating jobs that people can do from home.

Upon receiving written requests from a registered news business corporation, a responsible digital platform corporation must ensure the registered news business corporation can do the following in relation to the covered news content the news business has posted on part of a digital platform service:

- ***remove or filter user comments;***
- ***disable entirely the making of user comments; and***
- ***block user comments by particular users and accounts, in particular circumstances.***

So, in other words, you want permission to censor comments that go against the narrative that was published? You want to delete comments that can prove the story that was published was false? Or to ban users who express concerns? All this will accomplish is people finding ways to harass the workers on a more personal level or more likely will divert users away from the news outlets to others which they will be able to do because of VPN's.

While there is still more, I wish I could touch on I'm going to leave with this. Google and Facebook will fight this and at the end of the day the people of Australia will be paying for it. This Bill is a waste of time, instead the government should be focused on why Daniel Andrews can't get his state under control or why is there a University in Queensland sending drafts for public display to the Chinese Embassy to get approval before being publish?

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

1. Thank you for your call for submissions on the draft mandatory news media bargaining code.
2. I agree that a strong and independent media landscape is essential to a well-functioning democracy.
3. I support the proposal that large online content providers like Google, YouTube and Facebook should recognise original news content and pay a fair price for that news content.

Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I do not support the bargaining code. Why would the government want to regulate inter-business commercial dealings. The market is supposed to be free. If news organisations are failing to perform commercially then it is not up to the government to save them by mandating business practices. They should have to play by the same rules as everyone else.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> To Whom it may concern,

>

> As a concerned citizen I would like to voice my opinion on why I believe the news bargaining code is unlawful. Firstly, the bill does not give any definition to what a 'digital platform' is however in the bill it states it " is intended to capture platforms that deliver a wide variety of services such as social media services, search engines and other digital content aggregators." I believe this is a discrepancy in the bill which may allow for this law to be interpreted quite broadly and result in a warping of the bills original intent and used in situations where it is not appropriate nor fair.

>

> Secondly, the bill states that "digital platform corporations must comply with minimum standards which require them to provide registered news businesses with advance notification of algorithm changes, provide information about the collection and availability of user data, develop a proposal to recognise original news and give advance notification of changes affecting the display and presentation of news content." This would give news corporations, particularly big corporations, an unfair advantage against small businesses, smaller/alternative news companies and all other websites available on google. You state that "digital platforms may not discriminate between the news businesses participating in the code, or between participants and non-participants, because of their participation in the code," yet how is this possible when registered news business receive this privileged information not available to the users of google nor other websites and businesses on google.

>

> Thirdly, any digital platform should not have to "provide news businesses tools to moderate user comments on their covered news content" - this is censorship. User comments by the Australian public should be valued, whether they agree with the news content or not, and in a democracy I believe the voices of the Australian public should be valued (unless these comments are hate speech or particularly degrading towards one particular group or person/s). They are already given this privilege on most platforms regardless, such as social media, and this power should not be extended any further.

>

> Finally, what the Australian audience wants to see should not be determined by the government. That is up to the individual Australian. This advantage given to media companies in Australia is unfair and given the digital age we live in, news content and any content from all over the globe should be accessible and on the same level as Australian media companies. I urge you to revisit the true intentions of this bill and analyse whether it does truly benefit Australians as a whole, as I believe it does not and do not support this bill being passed.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The proposed code is absolutely horrendous. The Australian government doesn't need to be making Australians' data *more* freely available to corporations. You tackle Google as an organisation and your issue is that they're not violating people's privacy *enough*? Ridiculous. Your proposed solution to supposed bargaining imbalance is preposterous as well, it will disproportionately assist large conglomerates, who Google already drives considerable traffic towards, and do nothing for smaller news organisations who don't have the capacity to use the data handed over in any reasonable way.

This regulation is a disguised subsidisation of news businesses who have already dominated the Australian news industry. The proposed solution to the bargaining imbalance is a disgusting violation of the privacy of any citizen that uses a search engine, and the solution does nothing to address actual imbalances in the industry it's supposedly protecting.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good morning,

I've taken a look at the draft and the response from google, and I do believe that the proposed legislation will be beneficial to the Australian media and has no glaring issues. Fair payment for work is absolutely critical and fair. There won't be a significant impact to google services, and will benefit Australian media services greatly.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

ACCC,

The News Media Bargaining Code, in its current form, is anything but fair.

Many individuals of the Australian public will be disadvantaged SEVERELY by this code, if it remains to be in this form.

Preferential treatment of any organisation or party on the YouTube platform is strictly opposing the fundamentals of YouTube's policies. Content Creators are encouraged to pursue their passions, and share with the world their content, on the assumption of a "fair playing ground".

This also concerns other media platforms, where fairness and equal access are strong policies of the platform.

The News Media Bargaining Code should be given serious reconsideration before entering its next steps.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

This code is clearly not in the public's interest. At a time when we need to prop up smaller businesses it's not hard to foresee that only bigger news companies will benefit through their bargaining power. Please do not implement this bill. It is not ethical in the slightest & will not work well for most involved.

Thank you for your time in listening to another concerned aussie citizen,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good day ACCC,

In respect to this exposure draft, I feel that a deadline of Friday 28 Aug will not be sufficient for appropriate feedback.

I suggest you wait another month for closing feedback on the Exposure Draft.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Hi ACCC,

>

> Writing to inform you, that as an Aus citizen and resident my whole life (26 years) and currently residing in NSW, that I fully support the ACCC's work to hold these large corporations to account with the bargaining code.

>

> I'm shocked to see Google/YouTube trying to mobilise online vitriol, especially from those who do not reside in Australia and are never likely to, to attempt to falsely present the public's view as in their favour through the reach of their accounts. I sincerely hope this campaign has absolutely no effect on the decision to enforce the code, nor effect the contents of the code.

>

> Public opinion, while sometimes important, is only relevant insofar as it stems from those who call Australia home. Australian laws are not applicable to other countries and as such should not be swayed by views held by those of other countries.

>

> These huge businesses have had a bullying pulpit for too long in the world, it's amazing to finally see them attempting to be held to account by my own country. This sort of thing makes me proud of the public governmental apparatus of Australia - in a time where doubt is being sewn in the power of democratic governmental institutions around the world.

>

> Please persist with your demands, and to the fullest extent possible, protect news & media organisations - of all kinds, big and small - from monopoly threats like Facebook, Google, YouTube, etc. under the law.

> I believe these huge monopolistic companies aren't conducive to a well functioning Democracy and present a point of dysfunction between the largely Capitalistic and Democratic systems we're based on that needs to be regulated to ensure integrity of these broader systems, for the benefit of everyone.

>

> Yours in support,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear officer,

I'd like to provide my feedback about the Draft News Media bargaining code.

The 28 days appropriate notice period for algorithmic change should be given or NOT given to **EVERYONE**, not just selected News Media businesses

and penalties for not giving News Media businesses an unfair advantage? ARE YOU KIDDING ME?

Why not just make it a level playing field for **EVERYONE**, not just the big news group, if you can't complete, stay out of business.

However, I do agree everyone should acknowledge the origin of source, and this would give the entity's website a boost of ranking already. and it's FAIR.

NO additional data should be given to News Media business other than those that Facebook and Google do publicly anyway.

PLEASE DO NOT make Australia any more Chinese COMMUNIST PARTY than we are already. (I'm a Chinese migrant by the way).

Thank you for your time.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> You are doing the right thing.

>

> Stay strong and push it through. Don't be overwhelmed and over-comed by manufactured outrage.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear Sir/Madam

I'm writing in regards to the Mandatory Bargaining Code proposed by the ACCC where large technology companies will be required to support failing media companies by way of direct subsidy.

I think it's fundamentally wrong of the competition watchdog to stifle competition by forcing one competitor to subsidise another. Media companies, contrary to their own spin, do not provide a public good and should, like any other private business, exist standing on their own two feet. Google & Facebook has revolutionised many things, for instance, demand for street directories has evaporated over the last 10 years, but we don't expect Apple maps to subsidise them.

If media companies can't compete they should collapse. It is the bedrock of the free market system we have in Australia.

Kind regards

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To Whom it may concern,

As a concerned citizen I would like to voice my opinion on why I believe the news bargaining code is unlawful. Firstly, the bill does not give any definition to what a 'digital platform' is however in the bill it states it " is intended to capture platforms that deliver a wide variety of services such as social media services, search engines and other digital content aggregators." I believe this is a discrepancy in the bill which may allow for this law to be interpreted quite broadly and result in a warping of the bills original intent and used in situations where it is not appropriate nor fair.

Secondly, the bill states that "digital platform corporations must comply with minimum standards which require them to provide registered news businesses with advance notification of algorithm changes, provide information about the collection and availability of user data, develop a proposal to recognise original news and give advance notification of changes affecting the display and presentation of news content." This would give news corporations, particularly big corporations, an unfair advantage against small businesses, smaller/alternative news companies and all other websites available on google. You state that "digital platforms may not discriminate between the news businesses participating in the code, or between participants and non-participants, because of their participation in the code," yet how is this possible when registered news business receive this privileged information not available to the users of google nor other websites and businesses on google.

Thirdly, any digital platform should not have to "provide news businesses tools to moderate user comments on their covered news content" - this is censorship. User comments by the Australian public should be valued, whether they agree with the news content or not, and in a democracy I believe the voices of the Australian public should be valued (unless these comments are hate speech or particularly degrading towards one particular group or person/s). They are already given this privilege on most platforms regardless, such as social media, and this power should not be extended any further.

Finally, what the Australian audience wants to see should not be determined by the government. That is up to the individual Australian. This advantage given to media companies in Australia is unfair and given the digital age we live in, news content and any content from all over the globe should be accessible and on the same level as Australian media companies. I urge you to revisit the true intentions of this bill and analyse whether it does truly benefit Australians as a whole, as I believe it does not and do not support this bill being passed.

Thank you,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

> Hello,

>

> I got this address from Google, they are upset they will have to pay for news. I think they put this email address out there for people to complain.

> I'm not complaining, I think all big tech should pay for News content, especially as the Journalists have to get paid.

> So keep it up, make them pay for the content.

>

> Cheers

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The draft code aims to address an issue that fundamentally does not exist in the form assumed by government.

To begin with, indexed content on the internet is now and has always been opt-out. The methods to do so are easy and ubiquitous.

If there has been an issue with news publishers' content being displayed on other websites then why have they continued to provide their content for networks to do so.

In the case of Google particularly, news publishers have voluntarily provided their content for AMP.

How then can you make the assumption that their content is being stolen or misused?

Further, the legislation pretends that large platforms are mercilessly ripping off news publishers. This is patently false, the bulk of online traffic to newspapers in this country come from free advertising in the form of indexed and aggregated news content on larger platforms.

Forging platforms to engage in stacked arbitration processes will simply remove this free advertising from news media and result in the complete collapse of publishing in this country.

If you want proof, try looking at Spain when they pulled the same ridiculously misguided legislation. Their news industry was decimated within a year.

I hope that the staff you have at the ACCC are all equally aghast at this bill and you're only going forward because the moron heading the treasury has forced you to.

Because right now you are proving that the ACCC is no longer fit for purpose.

Kill the bill or you kill Australian news.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Im so unbelievably opposed to this. I'm also having troubles seeing where this benefits individuals and/or businesses AT ALL.

This country is becoming a joke and it's because of people like you and decisions like this!!!!

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hey there,

I think your bargaining code is pointless. This is the problem here:

News Outlet: "we want you to pay us!"

Google: "no, we will omit your content from our search"

News Outlet: "that means less traffic for us!"

Google: :)

You can't force Google to include their content AND pay them, but Google can easily choose to not include them. I mean, is the ABC going to tell them not to include their content? If not, Google will always have a reliable source for Aussie news. I can't understand what the ACCC wants out of this?

(Outlining that Google showing people an aggregate is pretty much the symbiotic relationship. Google has an aggregate and people using their apps, the press gets more views and eventually subscribers for those with paywalls because of said "more people"*)

At the same time, I do agree that you should give smaller outlets some bargaining power. There needs to be stronger words on who is excluded by this, because by weaseling, a multi-million dollar company can appear as a small sub-\$150k company. That needs stronger emphasis and clarification and that large companies should have a role to pass enough/more money down so that everyone can survive (just not to the big fishes who should be doing this also).

Best Regards,

[REDACTED]

*but since news is aggregated, one can just move to a different provider.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

As someone who works with Google to help businesses every day, this new code would hurt small businesses and provide a horrible experience to users trying to research on Google.

I completely disagree with this code, and believe it should be thrown out the window.

Big news companies already relieve millions of dollars in free traffic from Google. This code is absolutely ridiculous and corrupt.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello,

I'd just like to put forward my support for the News Media Bargaining Code legislation being proposed and I wish other countries would do the same.

Alphabet are one of the most powerful companies in the world, with \$161 billion dollar revenues last year and for them to be using the @YTCreators twitter handle to stir up opposition to this legislation and make themselves look like the victims, shows how dangerous they are as company.

Give power back to the local journalists providing truthful news, not an American platform used to spread lies.

I wish other countries would do the same.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear accc,

I am not comfortable with how much power this will give to large news corporations such as the Murdoch press over my internet useage.

I don't for example believe large media corporations need payment more than a standard you tube channel gets based on its views count.

Additionally I don't like the fact that you are putting risk in the way of smaller companies from starting new social media platforms in Australia. Large online corporations such as Google and Facebook need competition from new innovative companies, these smaller companies will just block Australian IP addresses of the risk/cost is too high.

The fine levels you have chosen is too high or should at least be based on the company size alone.

Additionally this should be written in clearer language so that people other than highly trained lawyers have some chance of understanding it's full implications. This will effect the people of Australia not just companies, you need to make this accessible.

Thank you for considering my input,

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The new media bargaining code you propose is completely backwards, it only serves to empower already massive media companies, and will risk completely extinguishing smaller media companies and independent journalists. I thought the ACCC was for the people, not directly against them. I'm no fan of big tech companies like Google and Facebook, but the news media companies are just as bad if not worse. At least Google and Facebook are platforms and allow people to spread their word (which is unfortunately decreasing due to censorship), news networks however are publishers and dictate exactly what they want to be heard, and not what the people are actually saying.

I'm very disappointed that such a code was even suggested in the first place.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

The only people that want this to go ahead are Murdoch and the politicians he owns, this is complete crap, I don't know who is getting the promotion out of this deal but it can not be allowed to go on. I avoid news from these big vendors because they all have their own agendas and are desperate for ratings, I prefer my news actually unbiased and since the liberals destroyed the ABC that is just not possible from any main stream news company

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

Section 5.5 of the proposed code explicitly limits the freedom of individuals to respond to news and the manner in which it is reported. Providing news organisations the power to censor all discussion on their stories, in all locations of the internet, is grossly inappropriate.

This is in general a poorly conceived initiative but as a concerned private citizen, I am most profoundly outraged by the above provisions. Please remove Section 5.5 and similar proposed powers from any future draft or final revision of the code.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

As a young Australian, I am increasingly concerned by the growing fascism in our politics. It is obvious to any educated mind that this draft code does not promote democracy- it allows businesses to control the information that Australians have access to, and breaches the privacy of the consumer.

You, the ACCC, state that "an eligible news media business's annual revenue must exceed \$150,000." This means that only news sources that force their consumers to pay for information will have access to this code- that only wealthy businesses, for that's what these news sources are, will have access to a code that grants them more money. This code does not care for the individual, and only promotes increasing the wealth of the wealthy.

You also state that "They maintain editorial independence from the subjects of their news coverage" which is objectively impossible. There is not a single news source that remains truly impartial to their material, and there is not a single news source that does not benefit- financially and otherwise- from a political party. The news sources deemed as impartial will be those that the government deems impartial, and as the government itself is incapable of impartiality due to the nature of Australian politics and the division of political parties, this code will render itself a tool for the government to feed its citizens a version of news that aligns with their personal goals. This is blatant facism.

Furthermore, the initial 'issue' of an imbalance of bargaining power does not exist. Google owns the space it occupies and thus has the power to regulate a system that it owns and maintains. An outside business such as a news outlet can use this service, but as with any business, it is not free. You would not expect a customer to receive their goods without paying for it in any other business model, so why does this change when it comes to Google and Facebook? Why should an outside business have more power over a business than the owners of that business?

This draft code boils down to the Australian government's thinly veiled attempt at legalising fascist values, and making it easier for news corporations to get richer at the expense of others. The government will have failed the rights of the Australian people to live with democracy further by incorporating this code into law, and the ACCC will be complicit in encouraging a culture of facism and institutional greed by supporting and enabling this code. It has never been a more shameful thing to be Australian than it has been in my lifetime, living under a right-wing government that favours money and corporations over individuals and human rights. This code is absolutely disgusting and unnecessary, and should not be legalised.

I declare no component of this response to be confidential and encourage the ACCC to publish this response IN FULL on their website, so that the Australian people understand the implications this code will have. I urge every party involved to take seriously the concerns I have raised and do everything in their power to prevent this code from going ahead.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To the ACCC

Congratulations on your draft code for Google and Facebook. They are parasites on the creative community.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

- > Why is the ABC being excluded from this process and any rewards that might flow from it?
 - >
 - > a) ABC news is the highest traffic'd/rated and arguably the most valuable - especially to a search platform
 - > b) ABC news costs as much to produce as other commercial providers
 - > c) if a low tax/massive reach platform is benefitting from News content, then if commercial producers shareholders are to join in those benefits, why shouldn't the ABC's shareholders - the Australian tax payer or the ABC itself
 - > d) we are regularly told (by the people who told us the nbn would be ok) that the ABC must do more with less, yet unlike a commercial provider it does not enjoy an bonanza of increased advertising dollars when it attains the highest audiences - it still works within its stagnated waged envelope - so a return would be welcome
 - > e) the ABC has done an extraordinary job in attracting high rating and engaged audiences with superb user friendly technical products built within their 'more for less' framework. Their digital platforms require meaningful upgrade now - but who will pay for that? With an ideologically opposed govt who are unlikely to even have the conversation, leave alone support an audience success, how else might the ABC build its new platform with out funds that are directly proportional to its proven audience success if it does not benefit on equal terms to the commercial publishers and broadcasters from tech platform recompense
 - >
- > Excluding the ABC (and SBS) is bias and commercially inappropriate Please consider.....

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good morning ACCC,

After careful consideration and review of the draft, I have a few concerns and comments. These relate mainly to Division 4 of the draft.

1. Subdivision A - The minimum standards, 52S User comments:

The digital platform services described and targeted by the draft, relate to open free social interactive constructs (facebook, youtube etc). These services encourage any and all to comment and share their thoughts. This section seeks to control and give defined News Business corporations the ability to alter the very nature of the platforms. There are very few forums left where open debate is possible, these need to be protected. Should News corporations wish to publish content and have control of user commentary they have their own platforms.

2. Subdivision B - Recognition of original news 52T recognition of original covered news content:

The broad definitions given, mean that this section would pertain to articles such as "Top 10 burgers Australia's must-try" as it could be argued that it relates to core news content, written by a journalist that is of public significance for Australians as well as being relevant in engaging Australians in public debate. Whilst I love a burger as much as the next person, news corporations have degraded to a point where journalist are instructed to produce these clickbait type articles. Whilst the undertone of this draft attempts to patch this problem, the definition of content and regulation of this section needs to be carefully considered and amended to ensure it achieves this goal. In its current form, I don't believe this is the case.

My final comment is in relation to Division 6 - Bargaining, the entire division sets out a practice which reads akin to enterprise bargaining agreements (EBA's). EBA's however, have an agreed period of applicability and standing. The current form does not provide for this allowing News Corporations to continually bargain, I believe there should be a requirement on the minimum standing or period of time before a bargaining news business corporation can give notification and recommence the process.

Thank you for taking the time to consider my comments.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I object to the following excerpts;

The responsible digital platform corporation for the digital

3 platform service must ensure that:

4 (a) information covered by subsection (2) is given to the

5 registered news business corporation for the registered news

6 business; and

7 (b) the information is given in terms that are readily

8 comprehensible; and

9 (c) the information is given to the registered news business

10 corporation no later than 28 days after the day on which the

11 registered news business was registered under section 52E;

12 and

13 (d) if regulations made for the purposes of this paragraph specify

14 other requirements for that information—those requirements

15 are satisfied.

16 (2) This subsection covers the following information:

17 (a) a list and explanation of the data that the digital platform

18 service collects (whether or not it shares the data with the

19 registered news business) about the registered news business’

20 users through their engagement with covered news content

21 made available by the digital platform service;

22 (b) a list and explanation of the products and services supplied

23 by the digital platform service that collect data about the

24 registered news business’ users through their engagement

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

25 with covered news content made available by the digital

26 platform service;

27 (c) a list and explanation of the data that the digital platform

28 service currently has a practice of making available to

29 registered news businesses;

30 (d) an explanation of how the form of the data mentioned in

31 paragraph (c) differs from the form of the data collected by

32 the digital platform service about users of the digital platform

33 service;

34 (e) information about how the registered news business

35 corporation can gain access to the data mentioned in

36 paragraphs (a) and (c)

User data is off limits to media corporations in my opinion and is a breach of privacy.

1) Subsection (2) applies if the registered news business corporation

21 for the registered news business makes a request, in writing, to the

22 responsible digital platform corporation for the digital platform

23 service to do any of the following:

24 (a) ensure that the registered news business corporation is

25 provided with flexible content moderation tools that allow

26 the registered news business corporation to remove or filter

27 comments on the registered news business' covered news

28 content that:

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

29 (i) are made using the digital platform service; and

30 (ii) are made on a part of the digital platform service that is

31 set up and able to be edited by the registered news

32 business;

33 (b) ensure that the registered news business corporation can

34 disable the making of such comments;

This is removing rights to free speech in an online platform.

I whole heartedly object to the compulsory sharing of user data and restriction\removal of freedom of speech.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello,

I live in Perth WA and work in the technical space.

I applaud your efforts to work on addressing the current power imbalance, but I think that you have clearly overstepped in terms of your approach to Algorithm Changes and User Data.

Please re-examine these portions of the code. I don't think it is reasonable that digital platforms should have to preferentially give information to News Outlets about algorithm changes that aren't available to other businesses. This gives an unfair, unearned advantage to News Outlets. Additionally, they should not get the advantage from information about user data.

Don't give news outlets advantages that other businesses in Australia don't have.

I am sure you have pressure from Murdoch to make this happen but please don't back News Outlets (**especially non-Australian ones like News Corp**) at the expense of the **actual Australian businesses**

Your priority should be Australian business. Not the pockets of some American billionaire.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I am just a 20 year-old nobody who frequently watches Australian online creators on YouTube and I believe this new code being proposed is just garbage for lack of a better word.

There shouldn't be a way for mainstream media organisations to cheat the system and force their bad and biased news down our throats just because they think they're too good to adapt to this new media landscape

Just the reason that they are getting less successful at forcing their bad and biased news and journalism down our throats doesn't mean that I or people like me (who view content by people that we actually like and trust) should have to be fed things that we don't want to see or would never see if these news corporations are basically given cheat codes to make us see what they want to see and eventually think what they want us to think. We were shown these people because the algorithm identified we might like this content, so potential future consumers should have the right to be too.

It's even more detrimental to these creators who actually put effort in to adapt and thrive in this media but do it independently for basically little to no money, especially if their videos get demonetised and somehow are better at delivering the news than a corporation who just churns our shit (pardon my language, it could get worse) and force-feeds us garbage. If anything those shouldn't these creators deserve what is being proposed? Not entitled mainstream media organisations who are so arrogant that they demand this law be brought in so they can have more success in pushing their propaganda to us.

This took me a while to write, I need to cut it short because I'm gonna be late for work (I actually have to work for a living, I don't just get money for doing nothing like these news corporations).

I'll leave you with a last thing, it should be the same rules for everyone. If you can't or refuse to adapt then that's just unlucky.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

1: I am in general support of legislation that requires standards of truth and completeness in the reporting of news is adhered to. If the standards of the Australian Press Council, Independent Media Council, Commercial Television Industry Code of Practice, the Commercial Radio Code of Practice and the Subscription Broadcast Television Codes of Practice “regarding internal editorial standards that relate to the provision of quality journalism” support truth and completeness in the reporting of news. Then I am in favour.

2: I am opposed to any digital platform service being ordered to provide user data to any news company that chooses to engage their platform. I understand that news companies are facing falling revenue, but it is my view that this is in part due to their own conduct, with shock-jock productions, agenda-driven backers and news focus, the urgency of the ‘always something new’ news cycle that reduces or prevents follow ups on past news/progressing matters, which ignores ongoing events that are either considered to have gone too long or being against agenda and a general aversion to or non-violent/non-angry/non-inciting content.

3: I am absolutely opposed to any control by news media of the comments left on a digital platform service, except for reasonable pre-existing service guidelines related to scams, spam, excessive personal attacks, incitement to racism, sexism, violence etc. Blanket permissions to prevent comments or police comments at their discretion will contribute further to skewed narratives and outright false representations of their audiences’ agreement/disagreement which in turn influences other viewers about public perception.

4: With the exception of a formal ‘emergency broadcast/priority government alerts’ channel, I am strongly opposed to any prioritisation of news channels on any digital platform service. I do not believe such channels are inherently more trustworthy or worthy of special treatment. They are, ultimately, for-profit companies whose content will be skewed by private and profitable agendas. This is not to say that other sources on digital platform services will not be - but none should be given preferential treatment over the other by mandate of the government.

Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To the ACCC...

YouTube is a place that has always been for the creative, the funny, the daring and for those who are willing to make a difference and stand out. Audiences and viewers love authenticity, nuance and the wide range of information to learn. To take that away and replace the authenticity and nuance with the traditional news outlets that are becoming more and more untrustworthy and disingenuous by the day is a wrong, disgusting and ultimately embarrassing action.

This new law will affect small content creators of all kinds by not only making it much more difficult for them to be noticed, but they will be silenced if they don't fit a certain narrative from a certain news corporation. For viewers and audiences, our feeds and recommendations are to be filled with news that 1) could be misleading, fear-mongering and/or possibly harmful. 2) are not relevant to us and 3) don't allow us to see another point of view. The most outrageous thing about this is that these corporations are requesting for payments 60x more than they are already getting, independent content creators are much more deserving to such great payments because they are careful about what they put on the internet and we can understand their points of view because they don't come across as biased and fear-mongering.

The majority of people who watch YouTube, specifically the content creators, are older kids, teens and young adults. Those same demographics are the ones that don't watch mainstream network news on TV. This law just shows that the industry it's failing and it's dying, because people under 40 don't trust them, the Australian Traditional Media are not improving along with everything else and they are not taking stories and events with an open mind.

YouTube is new media, we can choose who we want to watch to get our information from, instead of a fixed set of people from the TV. It is where we go to watch our favourite content creators. It is where we can find all the information in the world, from people who are understanding, funny, experts in their field, genuine and accepting of all. If this law gets passed, these corporations will get ahold of the algorithms and will force google to make your recommendations and your google searches, filled with news by people and corporations we don't trust and/or are not relevant/relatable to the demographics who watch YouTube, small channels will never see the light of day, and more money will go to the corporations, so I say this:

PLEASE DO NOT PASS THIS LAW!!!!!! YOUTUBE IS ALL ABOUT INDIVIDUAL VOICES, DON'T SILENCE THEM!!!!!!

Please take this message into consideration

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC and Australian Government.

I am not happy or impressed by the new rules and legislation proposed by the Media corporations to change the entire landscape of Google and YouTube in their favor, it is completely unfair to new growing content creators on these platforms and day to day users with these actions taken by the Media corporations they should be ashamed of themselves for trying to push something like this through and should instead strive to improve themselves rather than resorting to these petty and childish actions. One of the first problems with this legislation creates is that the Media can just flood the platforms with their content effectively smothering smaller more independent creators, another major problem is allowing the Media corporations access and abuse of user's data information which is a complete violation of privacy and to the automated algorithm on these platforms allowing them to cheat the system and edge out any and all competitors unfairly and finally they ask to be paid sixty percent more than what some of them are worth basically leaving no money for the independent content creator. With many other points why this is a bad idea like damaging our rights to freedom of speech, multiple breaches of privacy with the possibility of data being sold to overseas companies and the legislation spreading to other countries not just limiting it to Australia, and many more you most likely have heard all ready I believe no good would come of this and even if I am one of few to write to you ACCC and Australian Government about this just remember my thought and feeling about this matter echo in harmony with millions of other Australians so you're not just hurting one us you're hurting all of us.

Thank You.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello Sir/Ma'am,

I am emailing you in regards to the proposed law that would destroy the level playing field on Google and Youtube in favour of large media organizations.

To give these large companies special access to Google's backend is extremely unfair to the countless content creators who put hours of hard work each day into their content. For them to also demand that Google pay them \$600,000,000 is also extremely unfair. Large media organizations do not deserve special treatment.

Once again this law would destroy any and all attempts for smaller creators to get their channels off the ground.

Please do not let this happen.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

My name is [REDACTED]. This bargaining code is stupid for a number of reasons firstly you propose to give the media access to Google's analytics. They don't have any right to that information why should they get that and normal people or other businesses can't? What they will do with the information is use it to crush smaller online publishers and individual news reporters that's ridiculous. All the media is concerned about is that the market has spoken and we the market have chosen to go elsewhere and they don't like it, that's all this is about. So they went crying off to the government sobbing saying they don't like us any more. Well I've got news for the big news people. No your right we don't like you any more and what we've done is go to your competitors. It's called market place capitalism where you need to compete and if you don't have the superior product you loose and shut down. But instead of trying to better themselves they try to stack the deck that's wrong and I'd suggest you reverse course very quickly because this is going to backfire and backfire hard. What do I mean by this? Like I said the big news bullies will crush smaller media and all we will see on sites like YouTube is big corporate garbage. The reason people go to places like YouTube is to get away from that stuff and see the smaller people that are more relatible and honest. Furthermore and finally do you have any idea how much Google could cripple our internet? They could just flick a switch and no more Google search which would effectively switch off 99% of the internet. And who do you think people will blame after Google says we could no longer operate in Australia due to government interference? The government has very little trust left in Australia and that would effectively eliminate any trust they still had. And do you really fancy using yahoo again? I don't think so.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi, just letting you know, DO NOT let the media take over YT, do they really deserve it? They are attempting to become the oligarchs of YT, stopping small channels from achieving something great. Together we can stop this madness.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello

First I would like to commend the ACCC for looking into the power discrepancy in regards to YouTube content.

That being said I must express my repulsion for the proposed legislation that has been proposed as it would not solve the problem instead it would give the Australian news media and their parent companies a monopoly on YouTube.

By giving the media companies access to the algorithm they would have an unfair advantage against independent news channels who would be denied access to the algorithm giving the media companies preferential treatment by exploiting the algorithm to receive the highest search results.

This practice would negatively impact independent businesses reducing the chance that their content will be found during searches and changing the nature of YouTube from showing content based on quality and user interaction and instead search results will be based on which video better exploited the algorithm.

The imbalance created between corporate and independent news media would only be the start as the parent agencies for the corporate news will likely also use their privileged access to the inner workings of the YouTube algorithm to push their entertainment programs further hurting all YouTuber content creators.

The Australian news agencies and their parent companies are failing not because the algorithm is unfairly affecting them but because of changing tastes within the Australian media market as Australians are choosing to instead watch independent content creators over the news and entertainment put out by corporations. It is their inability to adapt to this change that is resulting in few people watching their content.

As for the part where YouTube would have to pay these companies for hosting their content that seems ridiculous as YouTube allows anyone to host videos for free. If the news media puts their segments on YouTube then they are choosing to publish it for fee with the exception of ads. This is not stolen content nor is it taking views away from television channels it is an action they have voluntarily entered into with the ability to remove that content at any time. I can not see a viable reason why YouTube would need to pay them for the privilege of hosting their content when it is them who have chosen to do so if they do so.

Lastly i would like to suggest a simple change that would solve most of the power discrepancies in regards to YouTube and that is simply to draft legislation that forces companies like YouTube to choose whether they are a platform or a publisher.

By forcing companies to choose the ACCC would be able to hold YouTube accountable for their actions violate the law.

As a publisher companies would be liable for everything posted on their website while publishers would not be able throttle or shadowban user content unless the content breaks the law in some way.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

This seems like the best solution to create a truly level playing field for all content creators where the quality of a video combined with the amount of user interaction would determine where in the search algorithm that video would be instead of being inundated with the video equivalent of junk mail resulting from exploitation of the algorithm.

Sorry about the long email but please consider my last point as an alternative to the dying media's last gasp for power.

Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hi

I've recently heard about the newly drafted and currently in discussion *news media bargaining law* and I'm in opposition of the new law.

From my perspective and my understanding of the new law, it would give traditional news media the power to demand payments, algorithmic secrets, and user information from hosting/creative sites like YouTube/Google/Vimeo, basically giving them an undeserved advantage.

However, most Australian traditional news media outlets simply do not live to the standards that young Australians expect - they use clickbaity titles to attract readers, don't provide critical information or give out misleading information, and disallow discussion on their platforms so they wouldn't hear the criticisms coming towards them.

I came from a nation where the people's voices are oppressed for the benefits of the state, where democracy only exist in the country's name, and where people fight to become unpersoned just for their voices to be heard.

Needless to say, I came to Australia for my freedom.

Now, the freedom I worked so hard for is being threatened by the news media outlets, because they know they are failing and are using their power as the big guys of the 90th to bully new forms of media.

I'd like to see this law denied.

Thanks and stay safe

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whoever it may concern,

I am writing to express my concern about the recent law change regarding Google and other companies paying Australian media outlets fees along with other things. I find this very strange and frankly absurd that media giants are asking online companies to pay them for allowing people to access their content. That is like a shop owner charging you for giving someone directions and taking them to their shop. I heard the argument it "levels the playing field", I do not believe that and besides it is not Googles fault that people don't watch their content like they used to. I find this discourages free market and is little more than a crouch for a what are still giant media companies to not develop and innovate with their ability. Also, I do not see the point in newspapers because we all get our news online anyway and it is not like Australian media does no publish articles online or that I do not see these articles, quite the opposite I see them at the top of my searches.

What is more is that this law would require them revealing the algorithm to media outlets allowing for manipulation of what people see at first glance by tailoring it to certain users. I find that any law that would limit a people's ability to have full access to current news is frankly terrifying. I do not wish my search history or future searches to be viewable by Australian media outlets.

In closing, I am against this law for many reasons chief among is that Australian media should not have a say in what I see online. It deeply concerns me.

News Media Bargaining Code – draft legislation consultation submission
Submission by a member of the public who requested anonymity

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Good evening I hope this email finds you well,

My name is [REDACTED], and i have concerns about the law that is being proposed, regarding news media moving to Youtube, it is my understanding the news is asking for all relevant user data to boost it's own ratings in the algorithm, which would put them in a position of uncontrolled artificial and exponential influence, making the algorithm redundant, and effectively forcing us to watch what they say, and also diverting a disproportionate amount of adsense, from smaller creates, slowly destroying the fundamental benefit of Youtube.

The reason fewer people watch the news these days is not because we have stopped watching TV, it is because we want more diverse sources of information, the news makes mistakes and is biased in a lot of cases, and we don't want that so we go to Youtube.

Now that the news realizes we have moved on, it refuses to adapt and instead asks the government to give it a leg up, instead of changing its business model it expects us to keep it going, it's repulsive and unaustralian.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

This new media bargaining code is going to hurt everyone. Every content creator, every viewer, EVERYONE. Why should the media spoonfeed what we watch? We must not suffer from their opinions and thoughts. We must be able to think and choose independently.

So just to reiterate; it is a TERRIBLE idea to let them take control. Let Google decide how their services work. Let the creators decide. Let us decide.

Thank you.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

Please do not pass the bargaining code bill as it is currently, there are many flaws with it.

I strongly believe handing over the YouTube algorithm to news companies is not in the interest of the freedom of press, YouTube content creators, Australians and the world at large. Allowing specific companies that already have so much power control of what is recommended to Australian YouTube viewers is blatant censorship.

Please amend this bill immediately or discard it to keep Australians and our Australian media safe from censorship.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I say no to the new law demanding digital platforms comply with standards which require them to provide registered news businesses with advanced notification of algorithm changes, or to provide information about the collection and AVAILABILITY of user data of give news businesses advanced notification of changes affecting the display and presentation of news content.

These news businesses should be able to exist and thrive without getting special advantages.

No to this new law.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

My name is [REDACTED].

I oppose this bill because of the potential it has to make platforms like YouTube even more of an echo chamber for those incapable of nuanced thought. While I trust Google about as far as I could throw them, I trust media dinosaurs even less. Please consider the difficulty in choosing a side in this matter as one would have to to have any impact.

Thank you for accepting my thoughts on the matter.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

To whom it may concern,

It is my firm belief that the new proposed bill, News Media Bargaining Code, is an attack on democracy in Australia. This bill violates the *Competition and Consumer Act 2010* and it is your duty to uphold the law and ensure that any breaches are to be taken to the Federal Court of Australia to take action.

Specifically, Section 45 of the *Competition and Consumer Act 2010* (CCA) "**Prohibits making or giving effect to contracts, arrangements or understandings containing a provision which has the purpose, effect or likely effect of substantially lessening competition.**" The proposed News Media Bargaining Code bill will considerably hinder competition by giving an unfair advantage to large news media businesses by giving them access to insights, trends, and information that would allow said corporations to gain an unfair advantage.

It is not right that news media businesses have access to information and tools that would allow them to gain an advantage in a field where lessening competition should not be a driving factor in how these businesses operate. **I hold the opinion that news media businesses here in Australia have one purpose: to provide Australian's with factual, accurate, unbiased, well substantiated, and impartial news coverage.** This bill would ensure that news media businesses can publish unsubstantiated, ill-informed, and unsupported claims (as dubious as they already are) through all forms of media as these businesses will no longer be required to compete fairly, and thus, will publish whatever will make them more revenue .

It is because these news media businesses will no longer need to compete to publish factual news stories that I call upon the full might of the ACCC to fight this bill all the way to keep the media in check. Aside from the obvious, what constitutes a "news media business" ? Can a small time company run by a dozen people have unrestricted and equal access just the same as a conglomerate like 7 News, for example? Of course, the small news media business will not be able to access this information like a conglomerate, as is stated in the bill itself.

It is for these reasons, and many more unstated, that the proposed bill "News Media Bargaining Code" cannot be allowed. This bill violates competition and privacy laws. It is an attack on democracy and it is in direct violation of the *Competition and Consumer Act 2010* which I remind you, is the duty of the ACCC to uphold.

I hope my voice has swayed your opinion, or at least stirred thought to wonder what harm this proposed bill will do to the consumption of media in our great country. Thank you for taking the time to read my letter, and I hope you will uphold democracy in these trying times.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I am an Australian citizen who uses several platforms that will be affected by the News Media Bargaining Code.

Section 52 constitutes a clear breach of my privacy, allowing large quantities of data that I have only authorized to be viewed by ONLY the platforms themselves, to be freely distributed to a large number of news organisations that can do with it what they wish (including selling it directly to other marketing organisations for their own profit, further spreading information about me, that I did not authorize to be spread beyond a single platform).

Furthermore, it is impossible to say that a news organisation with as little as 150K revenue will have anywhere near the same data security standards that Google has. It is pertinent to state that Google spends thousands of times that figure on electricity costs every day, and has the capital and knowledge to be at the cutting edge of digital security.

If this legislation is put into effect, huge quantities of data on Australian citizens will likely be obtained by domestic or even international hackers within weeks or days, this is a completely unacceptable outcome from the actions of a body whose purpose is to protect Australian consumers.

Even if the issue of limiting what the news organisations MEAN to do with the data they have been given about me, my friends and my family is addressed, the inevitable gap in data security standards between Google and a small local paper with 150K revenue, will make any amendments to section 52 to this effect pointless.

To discuss other portions of the proposed legislation; several sections ask that essentially ANY digital platform provide any and ALL information about their findability algorithms to ANY news organisation that asks for it. It should be made clear that this information is not provided to ANYONE ELSE ON THESE PLATFORMS. There could not be a clearer example of anticompetitive actions, and that this is legislated by a body advocating for the consumer is embarrassing.

It is clear that this legislation is designed to give unfair advantage to news organisations that refuse to innovate beyond segregated, paywalled, clunky digital platforms. Why does the government not take the example of the success of these online platforms, and subsidise a unified 'Australian news' platform with its own algorithm, and respectable data security standards?

This legislation is not at all in line with a government that claims to support innovation and the privacy rights of its citizens, it is completely unacceptable.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

I think its wrong for the news and media to have more power on platforms that are viewed freely by everyone. News is on constantly during the day and as someone who does not watch tv at all i still find myself unable to escape news on the tv. I dont watch news because news is 5% local 5% sport 5% weather and 85% from abroad. I am sick and tired of hering about trump and their election and to hear about this constantly is so annoying and i dont want to see it on the platforms i prefer. So to conclude my thoughts we dont need more news telling us what they think we should hear. Kind regards a concerned young adult who whats to help in what the future is.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Hello, my names [REDACTED].

Im contacting you guys to let you know my opinion on this matter, it really is not appropriate for media to come along over to Google, DEMANDING 60% increase in what they get paid from their job and that they WANT all Youtubes algorithms.

Please read this over and imagine a NOBODY doing this very same thing, would it pass? You tell me.

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

Dear ACCC,

It had come to my attention of a new law the Australian government wants to pass know was the open letter Australia.i am a small youtuber creator on YouTube with 460 subscribers but can't make money due to not having 1k subs and 4K hrs watch hour time If this law is passed, small creators like myself will suffer as the big greedy companies like the media will have the advantage of he tot more brows and I will be at a disadvantage and my channel and other small creators will suffer from this blow please consider not passing this law as it will not help us small creators on this platform we know as YouTube

Thanks

News Media Bargaining Code – draft legislation consultation submission

Submission by a member of the public who requested anonymity

o the ACCC,

I am writing in regards to the Media Bargaining Code Draft that is currently available via the ACCC website. While I hold no commercial investment in any company mentioned in the draft, I am a freelance media journalist as well as a student and require unrestricted access to websites both local and internationally based. The Media Bargaining Code would bring that unrestricted access to an end and provide multi-billion-dollar media interests an unfair advantage in both internet search results as well as continue the unfair monopoly of huge media companies in the news sector.

Print Media: A dying and Lying medium

In a world where choice is king, print and TV media has gone from being a “must” read/see medium to another choice in a larger format. Since the introduction of high-speed internet in the late 1990s, the print media has waged a war on internet news websites, claiming that “print media will die” because of news websites, and they are right. As YouTube and streaming content has grown in the last 10 years, TV news content has become less and less relevant as people choose to watch something else or stream most of their media from other sources online. Thus, TV ad revenue is down, and watch time is down for those programs. The final blow came as mobile devices with ad-block software have become more common in use for people to get their news content, leading to a downturn in revenue for the once very profitable news media companies like NewsCorp and Nine Entertainment Co, who control a majority of the print and TV media in Australia... And they don't like it.

Since the release of the draft for the Media Bargaining Code, big news media companies like NewsCorp have been on a campaign of lies and misinformation to the public about why they are trying to sneak this code through Parliament, and their friends in the TV media are picking up those lies and misinformation and pushing it out to the viewing public. The manipulation continues as NewsCorp use their ties to the Liberal Party to get quotes from Federal Treasurer Josh Frydenberg supporting the financial side of big news media's demands over the technical changes that would take place under the code.

Big news media companies are still worth somewhere between the hundreds of millions to billions of dollars every year, with their owner's worth in the billions. But these same companies are “crying poor” stating that their profits from the previous financial year was only in the single digit millions of dollars while Google, a worldwide company with many different revenue streams and companies, profited in the billions of US dollars, a clear misleading report in regards to revenue streams and currency conversions. Another false claim made by media companies is the closure of many local print newspapers and the associated jobs lost from those closures. These companies blame the closure of these newspapers on a lack of readership due to the increase of news website use. If this was true, then local newspapers would have been cancelled over a decade ago. Local newspapers require a lot of funding created from local business' purchasing ads to be listed in the newspapers, and since Australia has been close to a recession for the better part of the last 8 years, local business does not have the extra money to afford to pay big prices for small advertising space in local newspapers. Companies like NewsCorp do not prop up the budgets for the local newspaper industry unless they see a profit, so as profits dropped due to a lack of advertisement purchases, the companies decided to close a non-profitable part of the business.

These news companies are pushing the financial side of the code because they know that if the public saw what is happening with the technical requirements of the code, they would be outraged and this draft legislation would not be allowed to pass. Google has done the right thing by the public by bringing these technical requirements to light and telling users in straight forward language what is really at stake with the code. News media calls this bullying as it makes them look like the control

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Submission by a member of the public who requested anonymity

freaks that they are, because this is all about control of information and the flow of information online. The news media has controlled print and TV media for so long that they are used to getting their way in the minds of the public, controlling how people think about specific topics, especially those with political interests.

Paying for free content: Google vs Big Media

One of the big talking points from news media is that Google, through its social media arm Facebook, is allowing the public to access their news websites for free, thus taking away revenue from the companies in control. Anyone with even the basic understanding knows that most of the news websites in question rely on two types of revenue: One provided by advertising on the website, most of which is provided by Google AdSense, Google's advertising service. The other is a subscription model that locks a lot of the news website behind a "paywall" system that costs more than what a daily newspaper used to. While news media can make a good profit from the subscription model, they focus on their cut of the AdSense revenue as an issue and request upwards of \$60 million dollars in revenue for profits lost. When entering into a contract with Google AdSense, you agree that you are not getting a full payment, but a share of the payment as Google hosts the advertisements on your behalf. News media doesn't like this and wants all the profits to themselves. Another thing that news media will talk about in regards to the revenue from online advertisements is that they are not getting payments for every single person who visits a page, pushing that Google is to blame. Again, people who are knowledgeable in internet use has "Ad-Block" software installed on their internet browsers to stop these advertisements from loading in the first place, as most advertisements either slow down webpage access, or contain code within them to track and discover information about the users to send back to the advertising companies without permission of the user. News Media also relies on these tracking codes in order to target advertising to users in future visits and manipulate users into buying or subscribing to companies or products that the news media owners have a vested interest in.

When it comes to Google's search system, a lot of paid website content is removed from the search results, making sure that the content users' access is as free as possible. News media has tried to characterise this in two ways: Google is denying access to the paid content, costing them revenue, and that Google somehow bypasses the paid access to these webpages so users can access them without payment, something Google has never done. By allowing news media access to the search algorithm code, this would push paid content from those companies over free content access.

Creating an online Media monopoly

The online landscape is the last "Free" form of information access left in the world, it allows people from all over the world to access information quickly and without location restrictions or corporate interference. This access gives people the freedom to look up things for themselves and making their own opinions. News media on the other hand, works on behalf of political and commercial interests with tie into advertisements, political parties and personal relationships between the owners and other interests. This creates a control of information where the public only sees half of the story, half of the message, and the public gets told what to think and feel.

One of the big things about the Media Bargaining Code is that one of the requests from the news media side is that Google hands over what is known as the algorithm, the basic code for requesting search results in a specific order when the results are returned to the end user. At the moment, a search result via Google results in things like the most relevant websites, recent news posts, and scholastic research articles. If Google is forced to hand this algorithm over to news media companies, these companies then have unrestricted access to change and manipulate the way search results work in Australia to preference their own websites and stories over every other form

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of information that can come from Google search results. This doesn't mean that Australian sources would be preference, but paid media sources, making private business come first in all media requests.

As Google owns the streaming media platform YouTube, having news media have access to the Google search algorithm would result in YouTube also being changed and manipulated to prioritise those news media stories and videos over user created, international and independent content. These changes would mean that news companies would see a huge increase of visibility, leading to them making more profits from advertisements on YouTube videos while making sure that Australians do not see nor support content that news media did not create. This would lead to misinformation as news sources would be done by these news media companies and restrict access to international news sources, also to mention that it would destroy the independent creator made content completely, leading to many people who use YouTube as a source of income receiving less and closing channels, again giving news media companies control of information in another media format.

Limiting Student Access

As a student, I am required to use the internet, and Google, as a part of researching for assignments and also finding more information on the topics in which I am studying. At the moment, I have access to anything from local and international sources, research documents done by local and international sources, and also news stories when needed. A lot of the information I access needs to be free in order to be referenced in my reports and articles by Teachers and the Australian Education Department.

If news media is allowed to gain access to the Google search algorithm, they can make sure that the first thing I see when I research a topic is their own news stories, which might not be fully researched and reference able. For example, in my unit on Domestic and Family Violence, when I search about the topic, I see research papers that have been published by sources like NSW Communities and Justice, Mission Australia, Lifeline, Services Australia and other official Government sources. Under the revisions that the current Media Bargaining Code would create, I wouldn't be able to access those sources without having to sort through upwards of millions of news stories published about Domestic Violence, a lot of which are one sided, barely researched, biased, and unsourced. This would lead to me failing the unit because I would be unable to obtain the resources, I need for the unit requirements.

The result of using news media stories as the main source of information means that people who are researching in the field are not having their reports used, leading to less funding for them, leading to people who are less educated properly in their fields, and future research not being conducted in Australia since Australians can no longer access the information. A less educated population means that industries would fall in standards.

Net Neutrality & The Great Firewall of China 2.0

For years, private companies have been trying to restrict and control the flow of information on the internet to be in favour of themselves and their profits. This has been tried multiple times in the United States through the term "Net Neutrality", a set of legislation that would have created restricted access to types of internet websites and services unless paid for by the end user in a series of service packs, much like Foxtel offers for television. Thanks to the public, measures like this have been abandoned multiple times.

Other countries, like China and Korea, have restricted access to webpages via what is known as "the Great Firewall" in China, which is Government controlled for all access, making sure that only what

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the Government approves is allowed to be seen by the Chinese population. In Korea, there is a similar system in place where users have to pay for access on specific non-Korean webpages. Should this current version of the Media Bargaining Code become legislation, then it will open the door for these types of measures to be created in Australia, leading to ISPs having to give into private company interests and restrict access of information to all Australians, which would slow down internet speed, remove access to non-Australian sources, and cut communication channels for Australians to use and participate in worldwide.

Conclusion

As I stated in the beginning of this document, I am not a vested interest in any company, but I am a user of the internet in multiple forms, and this code will impact not only what I do, but become the foundation for something a lot worse in the future. We, the internet using public, can see that this is big media companies, an industry that has been killing itself for decades, is lying to the public in order to find a way to profit and control a service that is “easy pickings” in their eyes when it comes to blame for the end of their own industry.

I, and the rest of Australia, hope that the ACCC can work with Google, listening to the experts when it comes to the way the internet search systems works, than with big media companies who are wanting to profit and keep themselves on life support, when it comes to revisions of the Media Bargaining Code so that it keeps the internet and access of information available to all Australians and free from corporate interests that want to control and restrict information.

Regards, A humble Internet User.

(This document can be made available to the public under the submission guidelines)

News Media Bargaining Code – draft legislation consultation submission
Submission by a member of the public who requested anonymity

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Submission by a member of the public who requested anonymity

Concerned parties:

I am writing in response to the proposed code that would regulate how social media companies and search engines display news content. Please consider this my submission.

I have two main concerns about this proposed code:

First, I am concerned about the type and amount of data news companies would be able to gather. My main worry is this data could be abused by news media organisations to promote a political agenda, mostly extreme-right views propagated by yellow journalists working for services such as Sky News and The Daily Mail, et. al. I am also concerned this data could be accessed by individuals at these companies and passed onto others outside of them for use in gathering knowledge on private citizens they could use to their own advantage, such as someone selling that data to scammers, who can use that data to gain the trust of consumers and manipulate and exploit them. I do not believe that my search data should be shared with anyone outside Google. What data is shared should be extremely limited; eg, only number of clicks, but no details on who clicked on those headlines.

Second, this system has been tried before in several EU countries. These programs caused more harm than good, hindering the media industry instead of helping. The link below leads to Bloomberg article with evidence backing up this claim:

<https://www.bloomberg.com/opinion/articles/2020-08-14/australia-shouldn-t-make-facebook-and-google-pay-publishers-for-news>

Thank you for taking the time to read this. I truly hope this makes you reconsider adopting this code in any way, shape, or form.

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Submission by a member of the public who requested anonymity

Dear Australian government.

I hope that you reconsider passing the News Media Bargaining Code. If you pass the law, it will hurt Australian YouTubers and benefit the large media outlets. Please support your own people instead of large corporations.

News Media Bargaining Code – draft legislation consultation submission

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To whom it may concern.

I am writing this letter as a small youtube creator in Australia who opposes this new bill giving news outlets increased bargaining power as well as increased insider information with Google and Facebook that the rest of the creators aren't provided with.

Although I believe independent news outlets are important for Australia and the world, I don't believe it is right that this should come at the expense of smaller creators who make a living on the platform and are also trying to push their content as many people as possible.

News outlets already have capital and labour they can access to help them get an increased advantage over other creators.

Why is it necessary they need additional help to do so.

I strongly believe that this bill should be rejected as it isn't providing a fair competitive landscape for all businesses who use YouTube.

Alternatively, if we want the news to be able to be ranked higher on YouTube then we should be telling these news outlets that they now don't qualify for monetization through the platform.

They can have insider knowledge for greater exposure but forfeit the revenue.

Or they can play alongside all other creators and continue to earn revenue.

News Media Bargaining Code – draft legislation consultation submission

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Hi ACCC

This Code is a truly lousy idea. I don't know if this is the acceptable format for a formal submission, I suspect it isn't, but there are huge holes in this proposal. I'm a journalist. This is an Op-Ed on the subject which covers the main points.

Please note that despite the sarcastic tone of the Op-Ed, there are multiple issues and inconsistencies in this proposal which could be highly counterproductive for advertisers and news sites.

<http://www.digitaljournal.com/internet/op-ed-google-and-facebook-vs-australia-a-test-for-global-news-groups/article/576512>

News Media Bargaining Code – draft legislation consultation submission

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Thank you ACCC for ensuring small news businesses and journalists get fair payment from big digital media companies for news content they have researched and produced. Please ensure the draft **Media Bargaining Code** is enacted by Australian Parliament. This may encourage other countries to adopt similar laws to ensure healthy and diverse media.

News Media Bargaining Code – draft legislation consultation submission

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My opinion is quite simple.

Already I've been fed up with search engines obscuring information behind paid and unpaid 'news websites' rather than taking me to the source of information. For example, if I want to find out information of an upcoming game, the official website for that game is usually the 6-7th site down on a search engine with the first 6 being news sites talking about an upcoming release. But this is different.

I don't want anybody with the ability to create an "Australian news company" to have full access to my personal information.

I don't want companies to have access to the formula that enables them to appear fore-most in search engines, as that will lead only to content being developed to cheat the system in predatory ways.

The very idea of allowing specific companies to censor user comments on social media is preposterous. Why if I had the money to spare I'd just start a news company that published biased propaganda, then got the personal information of anyone who spoke out against me, along with ensuring they were banned from commenting on anything related to me in the future.

Finally, I understand the perceived value of ensuring the 'original story' receives preferential treatment, however that seems to me like encouragement of rushed, under-researched garbage being published to chase after those ever important clicks.

There's a bunch of stuff in the legislation I don't care about, rules around financial negotiation between digital companies and media businesses, but the aspects that will impact the everyday life of people searching for information on the internet are absurd.

I do not see how the personal information of a user should be at all important for a 'news business'.

I do not believe that the criteria for 'news business' is strict enough.

I do not believe that 'news' businesses should receive preferential treatment when it comes to the publishing of information, especially without provision that such a business needs to prove a lack of bias.

And under no circumstances should a content provider gain the ability to silence social discourse on their content.

News is important, yes. But just as important is the equal opportunity that all people have in access to information and disclosure of opinion and discourse.

If the intent of legislation is to enable news businesses to make more money in our current financial climate, then perhaps they should not have to rely on predatory tactics to spread their news. The intent of this legislation is clearly NOT aligned with the greater good of Australian citizens.