



Hon Josh Frydenberg MP
Treasurer
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600
By email: josh.frydenberg.mp@aph.gov.au

cc: Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure, Cities and the Arts
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600
By email: paul.fletcher.mp@aph.gov.au

cc: Rod Sims
Chair
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601
Email: infocentre@acc.gov.au

24 September 2021

Dear Treasurer,

We write to express concern that Facebook is refusing to negotiate with some small publishers and at least one major broadcaster to compensate the news agencies for use of their content.

A spokesperson for Facebook has confirmed that the social media site will not negotiate with The Conversation and with SBS.

We also note earlier reports that Broadsheet Media has also been refused a commercial deal for its news content by Facebook. It should be noted that Broadsheet Media is listed on the Register of Eligible News Businesses administered by ACMA.

MEAA has previously warned that the failure to include small to medium news organisations in the commercial benefits promised under the News Media Bargaining Code (the Code), could result in even further concentration of the media market in Australia.

We wish to know how you intend to assess whether Facebook and Google have met the test to avoid designation under the Code.

We are aware of the planned review of the Code by Treasury which is due to commence by March 2022, but will not conclude until March 2023.

MEAA submit that any designation decision cannot be delayed until the conclusion of the Code review. The designation issue must be addressed as a matter of urgency given the well known issues in the media sector.

📍 PO Box 723 Strawberry Hills NSW 2012 📞 1300 656 513

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As the ACCC found in its thorough and authoritative reports, the concentration of ownership in Australian news media is unhealthy. The News Media Bargaining Code is a unique opportunity to address market concentration which will be lost unless Facebook and Google are brought to proper account.

We look forward to your advice.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Murphy', with a stylized, cursive script.

Paul Murphy
Chief Executive
Media, Entertainment & Arts Alliance