

Elizabeth Press

From: Lachlan Habgood
Sent: Thursday, 18 November 2021 11:06 AM
To: DL - Rochelle Zurnamer & Assistant
Cc: Elizabeth Press; Catriona Oliver; bargainingcode
Subject: For decision: Assessment of application for registration under the Bargaining Code - News Cop Pty Ltd [SEC=OFFICIAL]

For decision and signature

Good morning Rochelle,

For your decision and signature is an assessment of an application from News Cop Pty Ltd for registration under the Bargaining Code

A link to the assessment report, located on the CRM SharePoint folder is here:

http://appsp/nbc/acmav001_newsbusiness/News%20Cop/Assessment%20Documents%20September%202021%20aapplication/Assessment%20Form%20News%20Cop%20September%202021.docx

Assessment report

You reviewed this application in mid-October. The preliminary decision at the time was the application failed the Content test. The applicant has provided a submission in response to the preliminary view and on reassessment we are satisfied the application now meets the Content test. We had previously recommended that the other eligibility tests had passed and there is no change to this recommendation.

The review of News Cop's website content is found in the section labelled Content Test in the assessment report in yellow highlight for ease of reference. If you agree with the assessment, please arrange for signature at the bottom of the assessment report in the Final Decision section. We have added preliminary text in the Comments from the Decision Maker field, that you may wish to review before signing. These are also in yellow highlight.

Background - escalation for your decision

News Cop Pty Ltd (News Cop) previously applied for registration under the Code in mid-May. That application was found ineligible in June as it failed the Revenue test (News Cop had not submitted sufficient financial evidence to pass this test).

News Cop reapplied for registration under the Code on 21/9/2021, this time providing sufficient financial accounts. However, our preliminary assessment was that the news source did not the Content test. The small amount of news content on the site was all over three months old, leading to the view it was an inactive site. The applicant was informed of the ACMA's preliminary decision and invited to comment on the preliminary view.

On 15/10/2021 News Cop responded, explaining the lack of activity due to upgrade work on its website. This work commenced at the time of the ACMA's first decision to fail News Cop on 23/6/2021. News Cop stated the work was finalised and the website was now operating. Our reassessment did find current news content on the website. However, given the sudden change to the website activity and our history with this applicant, you agreed that escalation to yourself as decision maker was the appropriate course and that we would wait one month before making our final assessment and recommendation to confirm that the activity was maintained.

Lastly, this assessment process, while relatively simple has taken longer than usual because of the circumstances of the applicant's news source. You should be aware the applicant has contacted us over recently seeking a time frame for our decision.

Please let me know if you have any questions about our assessment or News Cop's application. I have placed a copy of this email in your virtual in-tray.

Regards

Lachlan Habgood
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News Media Bargaining Section

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