

Elizabeth Press

From: bargainingcode
Sent: Friday, 25 June 2021 2:46 PM
To: [REDACTED]
Cc: bargainingcode
Subject: Outcome of assessment of application for registration under the News Bargaining Code - News Cop Pty Ltd [SEC=OFFICIAL]

Follow Up Flag: Follow up
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Dear [REDACTED]

News Media Bargaining Code Application (ACMA-NBC-4626ZGOF86)

I refer to the application by News Cop Pty Ltd to register a news business under the News Media Bargaining Code (the Code). The Australian Communications and Media Authority (ACMA) has finalised its assessment of your application.

Thank you for the information you provided on 9 June 2021. The ACMA has reviewed it and made a final decision about the application to register the news source. News Cop has been found ineligible because it has not met the revenue test. However, the additional information in relation to the professional standards test (links to editorial guidelines and complaints handling mechanism) was found to be sufficient to meet this eligibility criterion.

We note you can apply to be registered again in the future but you are advised to consider the reasons for your ineligibility as described below

Why are you ineligible?

Our requirements for the Revenue Test

Page 5 of the Guidelines for applicants relevantly states for the submission of annual accounts:

To be eligible to be registered as a news business corporation under the code, the annual revenue of the applicant corporation (or related body corporate) as set out in the corporation's (or the related body corporate's) annual accounts, must have exceeded A\$150,000 in the most recent year for which there are such accounts, or in 3 of the 5 most recent years for which there are such accounts. This revenue does not need to have been generated by the news business.

In your application you provided a financial statement for News Cop Pty Ltd for the year ending 30 June 2021. The ACMA requested additional clarity around the accounts, noting that the accounts seem to be for the period ending 30 June 2021.

In your response to the ACMA, you stated the profit and loss statement covered the entirety of the financial year to the date of application, but was presented on a full financial year basis, which you considered accorded to 'Generally Accepted Accounting Principles'. You offered to provide updated financial accounts to the date of the application to the ACMA if required. You also confirmed News Cop Pty Ltd had generated [REDACTED] in revenue to the date of the application to the ACMA. [REDACTED]

On 10 June 2021, the ACMA emailed you to request interim financial accounts representing the News Cop financial situation at the date of application (14 May 2021) and that a full set of financial accounts be provided for the financial year ended 30 June 2021 be submitted when available. These documents have not been submitted to the ACMA. Further, the ACMA has received advice that financial statements prepared for a time period prior to the completion of that time period are not considered to have been prepared in accordance with generally accepted accounting principles. For this reason, the revenue test has not been met.

Where the ACMA finds that a news source is ineligible it will not be registered. Applicants may reapply by submitting a new application via the ACMA's online application portal. You can also contact the ACMA on bargainingcode@acma.gov.au to discuss why their application was unsuccessful if you wish to do so.

Please note, I will be away from the office from Monday, 28 June to Friday 2 July. If you have any questions about this matter, please call Elizabeth Press on (02) 9334 7813.

Yours sincerely

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Compliance and Regulatory Advisor
News Media Bargaining Section

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