

## ACMA news media bargaining code eligibility assessment report

**News business name:** Chinese News and Media Group

**News business ID:** ACMA-NBC-2121QSLO39

**News sources:** [www.1688.com.au](http://www.1688.com.au)

**Date submitted:** 3/03/2021

**Link to CRM entry:** [Click here to open the CRM record in a new window](#)

Initial assessor: Lachlan Habgood (APS6)

QA assessor: Elizabeth Press (EL2)

**Officer recommendation:** Ineligible

### Revenue test

Assessment: Pass

The applicant has provided the 2019/20 Financial report Media & Media Group PL (ABN 46 112 061 382), which is the applicant Corporation. It shows that the total revenue for the 19/20 financial year exceeds the eligibility threshold test of \$150,000.00.

The Applicant submitted a Statutory Declaration from a CPA attesting accuracy. Accordingly, the applicant meets this test.

### Professional standards test

Initial assessment: Fail

1. The applicant states it is subject to the APC standards. However, the Applicant Corporation Media & Media Group Pty Ltd does not appear on the APC membership list 25/6/2019 or the APC Constituent Bodies list 28/1/2021 provided by the APC.

The applicant also failed to provide any link to, or submitted other information concerning editorial standards and complaints handling processes. A review of the [www.1688.com.au](http://www.1688.com.au) website does not show content on editorial guidelines or complaints handling processes that would mirror appropriate standards required for this criterion.

2 The applicant states it is not owned or controlled by a party with political or commercial interest.

The applicant does not have to the required professional standards in place and as such, it does not meet this criterion.

#### Further information provided 27 May 2021

In response to the ACMA preliminary view, the applicant emailed a link (<https://m.1688.com.au/standards.html>) where it stated the independent editorial standards it adhered to are located. The lower case m at the start of the URL

indicates the link is for the mobile app version of the news source, not the submitted news source itself.

A review of this URL was conducted on 31 May 2021. This page is initially presented in Chinese characters but was translated into English by Google translate (screen shots captured and filed). The page is titled 1688 Media Group, General principles and standards of practice.

The page contains editorial standards, including provisions related to accuracy, fairness, balance (ie impartiality), privacy, avoidance of harm, integrity and transparency. Overall it is an adequate editorial policy that meets the requirements of the Code.

The page also provides an email address and Australian phone number with the invitation that users can contact the publisher if they think there is a possible violation of the editorial standards. No other information is provided explaining how the applicant will consider the complaint or notify the complainant of the outcome within a timeframe. The complaints system does not meet the minimum standard required by Code as it does not provide users with a mechanism for adjudicating and notifying complainants of the outcome of the complaints about news content.

#### **User availability**

As noted, this link is to the mobile/app version of the website which is not the same as the news source link submitted by the applicant. However, it is clear that the two URLs share common ownership by the applicant with the differences being due to platform presentation requirements. However, as the URL is not the same as the submitted news source, an assessment of both URLs was conducted to determine if and how the professional standards are made available to users.

The URL <https://1688.com.au/standards.html> was manually typed in and the professional standards reviewed above were returned.

However, a review of the two news source URLs was conducted and no link or reference to the professional standards page was found by staff. The search function on each webpage was also used, in both English and Chinese language, and no link or reference to the professional standards was returned.

While the professional standards for both the news source and app version are hosted on the respective sites, the applicant has not made them available to users. This means that the user is unable to make a complaint and is not informed if the applicant is subject to internal editorial standards.

The applicant has failed to meet this criterion. The applicant should be informed that these submitted internal editorial standards were deficient in regard to the complaints process, and that it had not made the editorial standards available to users.

## Content test

Initial assessment: Pass

The applicant submitted <https://www.1688.com.au/> as the link where the content for the News source is published. The applicant has also, correctly, classified the news source as 'A website or part of a website'.

Staff reviewed the website on 30/3/2021. When accessed, the URL resolves to a main page with multiple thumbnail images with adjacent Chinese characters that are hypertext links to stories. The google translate function was provided by the website when accessed which translated the content into English.

The majority of photo thumbnails are hypertext links with headline text that provides an indication of the that will appear when the photo or text is clicked on. This appears to be the majority of the content on the main page.

Overall, the stories relate to current events/news about Australia or are related to Australia/ Chinese matters of interest in some way. I reviewed the following articles:

A photo of a chef preparing a lobster

(<https://www.1688.com.au/australia/national/2021/03/30/1001761>) resolved to a story about how domestic Australian lobster sales have increased by 200% recently and that Taiwan had increased its imports of Australian lobster and wine, following the reduced imports by China. Another story, access from the main page

(<https://www.1688.com.au/australia/national/2021/03/30/1001908>) concerns a story detailing how a Chinese diplomat, the Consul-General in Rio had criticised the Australian parliament following the recent multiple sexual assault allegations and noting this was a counter-attack for the Australian calls for an investigation over the origins of the corona virus. Other stories related to recent Corona virus outbreaks in Qld (<https://www.1688.com.au/ncov/2021/03/30/984023>).

The main page also has links at the top of the page that take the reader to specialised content sections, including News, Global, Financial, Outbreak in Australia, Australian, Real Estate and Entertainment. On consideration of the content reviewed on the website:

- The News source creates a large amount of core news content for the website. It is by far the most prominent feature of the news source.
- This core news material is created and published on a regular basis. All the content reviewed is credited on the website as being uploaded on the day of staff review. In addition, the core news appears to be created by the News provider itself, based on an assessment of the by-lines of the authors and the lack of attribution to other sources for the core news content;
- The core news content is given primary prominence for the news source and it is clear from the available evidence that the intent of the website is to provide core news to the reader over other content (such as advertising or sponsored material).

## Australian audiences test

### Initial assessment: Pass

#### 1. The news source operates predominantly in Australia

The website news source was accessed 30/3/2021. Contact information at the bottom of the main page contains telephone and email addresses for Sydney, Melbourne and Brisbane. This Page, at the bottom, contains a Contact Us page (<https://www.chinesenewspapergroup.com.au/#contact-us>). The Contact Us Page contains more contact information for these locations, including the same ph No. and email addresses, and Street Addresses in each city.

Based on this information, it is clear that the news source operates predominantly in Australia.

2. The news source has the dominant purpose of serving Australian audiences. As noted in the review of the review of the content on the submitted website, the primary content is core news. The focus on the content relates to Australian based Chinese language speakers/readers. The site is initially viewed in Chinese language. However, the articles reviewed are predominantly about Australia. Many articles are presented with a focus on the impact it may have on Australian/ Chinese relations.

It is considered that the news source does have the predominant purpose of service Australian audiences, in this case, an Australian Audience with Achinese background. The Applicant provided a document described as 'Analytics Screenshot' (not dated) as supporting material. It shows that the predominant number of 'users' were Australian (132,809 or 72.3%), with the next highest users being United States (12,323 or 6.71%). No other supporting documentation was provided.

Overall, it is considered that this news source meets the test of having the dominant purpose of service an Australian Audience. It is focused on Australian matters of interest, has an Australian perspective and is relevant to an Australian audience with an interest in this content.

## Connection requirements

Initial assessment: Pass

The Applicant has submitted:

the name of the Applicant Corporation as 'Media and Media Group Pty Ltd' ABN 46 112 061 382 and the News Business name as 'Chinese News and Media Group'.

An ABN look up for 46 112 061 382 resolves to 'MEDIA & MEDIA GROUP PTY LTD', which is consistent with the submitted application corporation name. The ABN lookup also states that Chinese News and Media Group is one of the registered business names found for this corporation.

Statutory Declaration

The Applicant has submitted a Statutory Declaration stating that 'Wendy Huang' (the Designated Authorised contact) declares that Media and Media Group Pty Ltd is the sole owner or controller of 'www.1688.com.au'.

The submitted information and statutory declaration is sufficient to meet the requirements of this criterion.

## Recommendation for further information (if applicable)

Decision maker: EL2 NMBS

Comments from decision maker

27 April 2021 - To further the progress of the application request of the applicant:

- a statutory declaration from a chief financial officer, a registered certified practising accountant or chartered accountant, indicating the applicant's reported revenue is true and prepared in accordance with generally accepted accounting principles. The application did not provide a statutory declaration described above.



The statutory declaration will enable a positive assessment that the applicant meets the Revenue test requirement.

## Final decision

Decision-maker: EL2 NMBS

Date of final decision: 1 June 2021

Final decision: Fail

Comments from decision maker

1. The application appears to have been completed correctly.
  2. The Applicant states it is subject to the APC standards. Media & Media Group Pty Ltd does not appear on the APC Constituent Bodies list 28/1/2021. Other information concerning editorial standards and complaints handling processes was supplied by the Applicants on 28 May 2021 and though it is difficult to establish where this appears or is navigable on the news source (website). The internal editorial standards were deficient in regard to the complaints process, and that it had not made the editorial standards available to users. The applicant is not solely owned or controlled by a political party, union, or a political lobby or advocacy group or controlled by a party that has a commercial interest in the coverage being produced.
  3. The news source publishes content meeting the definition of core news. The source passes the content test because it produces core news and features content that can be considered either relevant in engaging Australians in public debate or informing Australians about current issues or events of public significance on a national level.
  4. The news source passes the Australian audience test as it operates in Australia for the purposes of Australian audiences.
  5. The Applicant passes the connection requirement.
- Conclusion – The application fails but the applicant should be advised that:
- each news source must have professional editorial standards, including a mechanism for complaints.
  - if internal standards are relied on (as in this case) applicants must provide a link to their published internal editorial standards and a link to where users can make a complaint about a breach of editorial standards.

Signature of delegated officer:



Name: Elizabeth Press

Date: 1 June 2021