

The Manager
Content and Media Reform Section
Australian Communication and Media Authority

[CONFIDENTIAL SUBMISSION]

Submission: Consultation Paper – Implementing Australia's TV Prominence Framework

LGEAP Electronics Australia Pty Limited (LGEAP) is one of the leading importers and suppliers of consumer electronic products in Australia. LGEAP's products include televisions, computer monitors and projectors.

LGEAP welcomes the opportunity to provide feedback on the consultation paper regarding the approach ACMA is proposing to implement the TV prominence rules on regulated television devices manufacturer and supplied in Australia from 10 January 2026.

Generally, LGEAP supports the policy intent of the prominence legislation and the availability of local free-to-air television services on LG smart televisions.

By way of background, LG branded smart television devices supplied in Australia are based on a global design and uses an operating system (OS) platform branded webOS developed overseas by its parent company, LG Electronics Inc. [REDACTED]

[REDACTED] LGEAP has no control over the global home screen design, resourcing and development process in relation to TV products designed and manufactured by LG Electronics Inc.

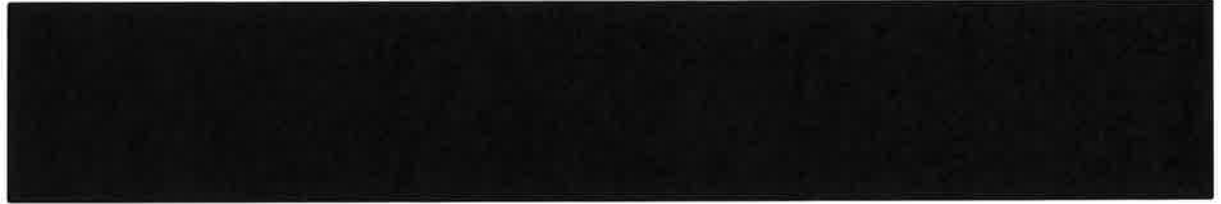
Note LGEAP is a member of the Consumer Electronics Suppliers Association (CESA) and supports the separate submission made by CESA. In addition, LGEAP would like to comment on the following key items specifically from LGEAP's point of view.

1. ACMA's Approach to Timeline

In relation to the proposed timeframe in the ACMA's proposed guideline (Figure 2), this is problematic for both 2025 and 2026 TV models for the reasons below:

[REDACTED]

[REDACTED]



- Final requirements of each LG subsidiary (country) are required be submitted prior to the start of the relevant development year. i.e. for 2025 TV models by December 2023 and for 2026 TV models by December 2024.
 - LG collect and consider all subsidiaries' requirements to finalise global home screen designs. The design of the home screen is entirely at LG Electronics Inc's discretion.
 - LGEAP typically announces the launch of its new TV model range in March – April each year and models are first released into the market in stages up until about June.
 - As a new 2026 TV model is released, production of the equivalent 2025 TV model ceases.
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- LG Electronics Inc. has already finalised the development of 2025 TV models which are due to be released on or about March - April of 2025. These products are currently in the final stage of development (pre-production testing, certifications, registration process and marketing development). Any change to 2025 TV model's user interface is no longer possible and the software development resources/teams have been disbanded or re-allocated to work on 2026 models.
 - When the prominence legislation takes effect on 10 January 2026, LGEAP will still be importing and supplying 2025 TV models for a period of up to 6 months as it transitions to the new 2026 TV range. In this regard, LG seeks that ACMA use its discretionary power pursuant to sub-section 130ZZI(b) of the BSA¹ to designate that 2025 TV models as out-of-scope in order to enable the sell-out of these models from the market. If a 2025 TV models are not excluded, there is

¹ Broadcastings Service Act 1992 (Cth)

a real risk of major disruption to supply of LG smart televisions during the 1st half of 2026.

- For the 2026 TV models, to follow the LG TV global design timeline, LGEAP should be in the position to provide the final requirement relating to TV prominence by no later than December 2024. Any delay will impact the global development timeline and worse, could delay the 2026 TV launch schedule in Australia. To fit the development timeline, we urge ACMA to provide guidance relating to what is the primary user interface and the scope of regulated television devices by December 2024.

2. Smart Projector – Likely in-scope

LGEAP does not support the possible inclusion of smart projectors as in-scope regulated television device for the following reasons:

- Television viewing is not the primary intended function of smart projectors. The application of this device is broad and are used for business, gaming, outdoor use (portable) and specialised home cinema viewing. While streaming TV viewing is possible, this is an ancillary feature only. ACMA should consider in the primary purpose test the type of consumer, how they typically use smart projector devices and whether it is primarily used for business, gaming, home cinema experience or viewing regulated television services.
- LGEAP had understood throughout the development of TV prominence framework that only smart TVs, set top boxes and plug-in devices were to be captured. The smart projector was only raised recently and there has been no consultation with the main suppliers of projectors in Australia e.g. Epson, BenQ etc. As such it is unlikely that these suppliers would be aware that such device is in-scope of the prominence requirements. This will add an additional (and we would say unfair) level of compliance burden and complexity for manufacturers who supply both TV and projectors.

In addition, the following operational challenges/considerations apply for LGEAP if minimum prominence requirements need to be implemented on smart projectors by 10 January 2026:

- LG Smart Projector devices are managed by a different business unit within the organisation. The resources, planning, development process and timeline are independent. This is completely different device with its own software QA and integration processes which differ from that of LG Smart TVs.
- LG Electronics Inc. prioritises development of LG Smart TVs over any its other LG smart devices. In fact, the latest smart projector webOS version is 4 generations behind the version currently being applied to LG Smart TVs.

For the above reasons, LGEAP submits that on commencement on the prominence legislation that only Smart TVs should be included as a regulated television device. If ACMA is minded to include smart projectors it should be considered at a later date or when the Act is due for review in 2028. This approach will afford TV manufacturers an opportunity to focus, initially, on implementing the minimum prominence requirements on Smart TV devices and allow for broader industry consultation.

3. What constitutes the primary user interface

LGEAP supports the proposal by ACMA that the primary user interface may be extended beyond the bounds of the initial screen. The examples in Figures 3, 4 and 5 of the consultation paper are acceptable, however, ACMA should provide the manufacturers with more flexibility in terms of design as long as the required minimum prominence is met. The main user interface design guideline should not be overly prescriptive, and the department must recognise that each manufacturer has different software and user interface design implementation. It is imperative that this flexibility in design is preserved as the user interface is a key selling point and differentiator between Smart TV brands.

The ACMA should also recognise and ensure that its guidelines and/or legislative instruments given effect on the conditions noted in the explanatory memorandum to the Bill that the prominence legislation does not intend:

- to constrain the capacity of the manufacturer to promote, preference or recommend particular content including own brand services; or
 - to interfere with existing and future commercial arrangements with international streaming services; and
 - does not require free-air-services and apps to be promoted above or ahead of these non-regulated television services.
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In this regard, LGEAP opposes the proposal to set a limit on the number of tiles to appear before the regulated service nor set a maximum number of tiles in considering what constitutes the primary user interface as this would be contrary to the policy intent noted above.

LGEAP seeks clarification and flexibility to implement prominence requirements on the primary user interface of LG Smart TVs by using a dedicated TV BVOD app tile which when scrolled over will expand to automatically display each of the regulated television service app icons (without the need to click to a separate interface). This option will afford an opportunity to provide better prominence to regulated television, where there is insufficient space on the primary user interface (as defined by ACMA) to display all the individual free to air BVOD tiles.

The expanded app list will serve as a 'one stop' access point for the free-to-air BOVD and linear TV services; is highly streamlined and easy for users to navigate and in our view complies with the prominence requirements as:

- I. Each of the free to air BVOD apps are displayed on the primary user interface;
- II. They are of a similar size and shape to other non-regulated applications displayed on the primary user interface; and
- III. Are located in the same area of the primary user interface as non-regulated applications.

This option also better align with Deloitte's, Media and Consumer Insights report 2023 finding that consumers (73%) would like "one place to search and discover content"².

² Deloitte's, Consumer & Media Insights Report 2023, p. 22

Image 1 – Position of the TV App Tile on the primary user interface.



The 5 individual BVOD F2A Apps will be seamlessly and automatically displayed as users hover the remote cursor or scroll across to the BVOD TV tile as depicted in



The tile size of each TV BVOD apps is the same as other apps and are displayed in the same area as other non-regulated services.

4. What circumstance to consider for a regulated television service to be taken to be 'offered.'

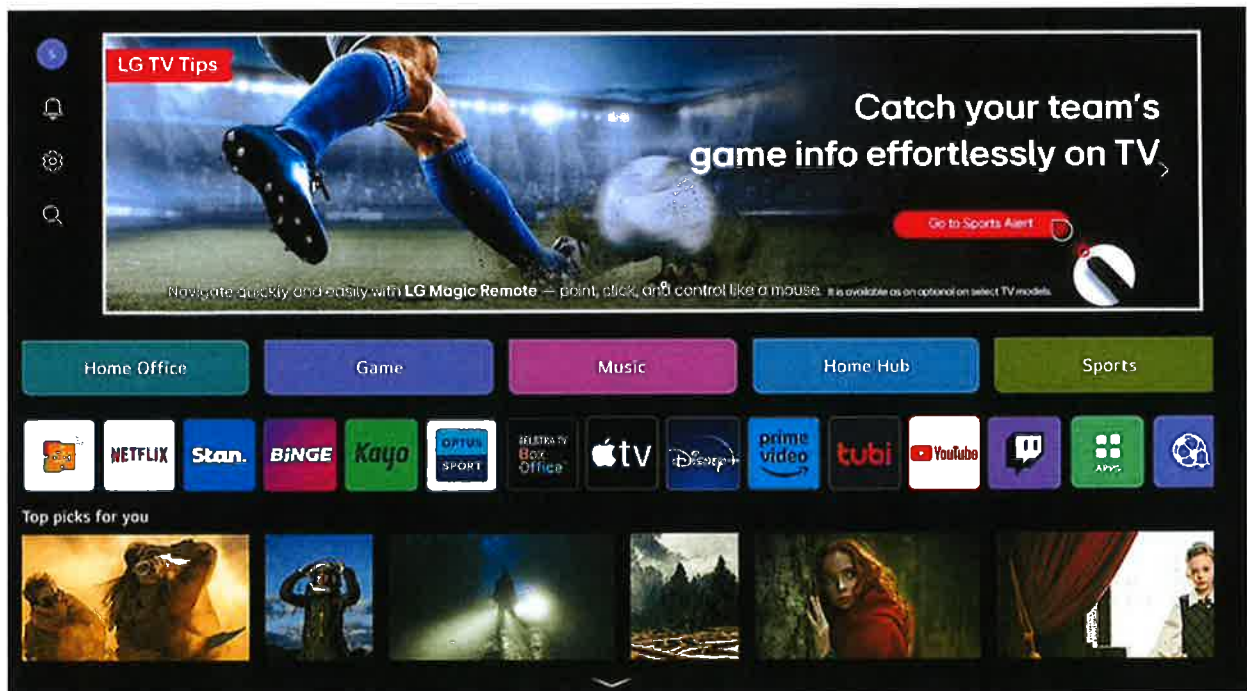
For an app to be taken to be offered, the app must be available in LG Content Store
https://au.lgappstv.com/main?lang=engu_AU.

It is important to highlight that prior to starting the process, all app developers must agree to LG standard terms and conditions. The terms include the requirement for compatibility, quality, app support, maintenance and resolution of technical issues and is a mandatory requirement before app development can commence or be accepted by LG Electronics Inc.

LG Electronics Australia Pty Ltd
Level 44, 6-8 Parramatta Square,
10 Darcy Street, Parramatta NSW 2150
T: 02 8805 4000 F: 02 8805 4201
www.lg.com.au

Call for Evidence 1

We request stakeholders provide images of home screens (where BVOD and SVOD apps are commonly located). This includes the home screens of all brands of TVs, streaming devices and other likely regulated television devices available in Australia.
LG 2024 TV webOS Home Screen



Call for Evidence 2

What platforms and operating systems are regulated television services on?

Below table is the summary of the availability of regulated television service in LG TV webOS.

	ABC iView	SBS On Demand	7Plus	9Now	10Play
2024 TV - webOS 24	✓	✓	✓	✓	✓
2023 TV - webOS 23	✓	✓	✓	✓	✓
2022 TV - webOS 22	✓	✓	✓	✓	✓
2021 TV - webOS 6.0	✓	✓	✓	✓	✓
2020 TV - webOS 5.0	✓	✓	✓	✓	✓
2019 TV - webOS 4.5	✓	✓	✓	✓	✓
2018 TV - webOS 4.0	✓	✓	✓	✓	✓
2017 TV - webOS 3.5	✓	✓	✓	-	✓
2016 TV - webOS 3.0	✓	✓	✓	-	✓
2015 TV - webOS 2.0	✓	✓	-	-	-
2014 TV - webOS 1.0	✓	-	-	-	-

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Call for Evidence 3

How do app developers provide assurance of an app's compatibility with each device or operating system? For example, is there internal or external certification of apps?

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Call for Evidence 4

What lead times are required to incorporate additional regulated television service applications into a device if they are compatible and made available today? For a given model of device, what do manufacturers consider the deadline for an app to be pre-installed, or added to a setup procedure?

There is no fixed lead time, all app developer must go through LG's standard app submission and QA process [REDACTED]. It is important to note that LG has set resources and lead time will be impacted depending on the number of apps being worked on which when integrating apps on a new version of WebOS could involve over a 1000 apps [REDACTED]

Call for Evidence 5

Data on the likely costs of compliance would help the ACMA evaluate the efficiency of the regulatory framework. What costs do manufacturers incur when assessing or accepting apps submitted to their app store? Noting this is commercially sensitive information, indicative figures are acceptable?

The LG cost will be based on dedicated manpower and time spend to go through QA process. It is impossible to give an approximate cost since app QA process will differ from one app provider to another. Other factors such as quality of the apps, complexity of the app, the number of QA issues to be resolved and the time taken by the app developers to resolve QA issues, also need to be considered.

We welcome any further discussions on the feedback contained in this submission. We appreciate the opportunity given to us and looking forward to seeing a positive outcome.

William Gavanis
Regulatory Affairs Manager
LG Electronics Australia Pty., Ltd.