

19 March 2026

Ms Nerida O'Loughlin PSM
Chair and Agency Head
Australian Communications and Media Authority
Level 5, The Bay Centre
65 Pirrama Road
Pyrmont NSW 2009

By email: OfficeoftheChair@acma.gov.au

Dear Ms O'Loughlin

Compliance and enforcement priorities 2026–27

Thank you for the opportunity to comment on the Australian Communication and Media Authority (ACMA) Compliance and enforcement priorities for 2026-27. Free TV recommends the extension of the 2025-26 priority, 'TV prominence – supporting access to Australian TV'.

Prominence framework commencement and consumer access to televisions

We have appreciated the ACMA's willingness to work proactively with device manufacturers to 'build a culture of compliance'. While the TV prominence framework has been in place since January 2026, it is not known whether any devices that are required to comply with the new prominence rules will be available for purchase by consumers prior to 30 June 2026. While it is likely at least some will be, it isn't clear that the ACMA will have had adequate opportunity to consider any complaints about them.

Free TV recommends an extension to this priority to ensure that samples of all relevant devices from all significant manufacturers captured by the rules are able to be assessed and for the ACMA to form views on the level of compliance.

Free TV has separately agreed with Freeview that active purchasing and sampling of equipment for compliance might be more usefully undertaken early in the new financial year, for the same reason.

Ideally any decision on reducing the priority of the work should be informed by the level of complaints once a representative range of devices has come into the market. If the level of industry compliance is generally good, this might ground an argument for reducing the priority of this work in future years.

Innovation and artificial intelligence

The rate of innovation in consumer interface design – likely only to accelerate as AI opens up options such as 'hyper-individualisation' of service offerings – makes it essential to carefully consider the effectiveness of the current rules. In particular, this may include consideration of whether the ACMA should exercise its various clarificatory powers; whether the Minister should revise the prominence

requirements in regulations; or whether the Parliament should consider changes to the primary legislation.

Statutory review

Finally, the legislation requires the Minister to review the 'operation, effectiveness and implementation' of the TV prominence framework, commencing as soon as practicable after the end of the three-year period starting in January this year.

While retaining the TV prominence framework as an enduring compliance priority is only one way the ACMA might inform its own participation in the Ministerial review, Free TV recommends that the Authority continue to actively monitor the effectiveness of the regime over the period to be reviewed.

Yours sincerely

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Bridget Fair
Chief Executive Officer