

Information for registered news businesses

Fact sheet

The ACMA registers entities that meet the eligibility tests for the News Media and Digital Platforms Mandatory Bargaining Code and maintains a register of eligible news businesses.

Make sure you understand and follow your obligations under the code.

Your registration

As an eligible news media business, you will be listed on the ACMA's online register of eligible news businesses. This register includes all of the news sources that satisfy each of the eligibility tests, and provides the following details:

- > the registered news business corporation
- > the registered news business the ACMA endorses as controlled by that news business corporation
- > the news sources that comprise the registered news business
- > an endorsement of the registered news business corporation as the registered news business corporation for the news business
- > details of the point-of-contact for the registered news business corporation.

Obligations on registered news business corporations

Being on the register of eligible news businesses means you must meet some ongoing obligations under the News Media and Digital Platforms Mandatory Bargaining Code (see sections 52H, 52I, 52J and 52Z). You must:

- > provide a point-of-contact
- > notify the ACMA of loss of qualification for registration.

The ACMA's information-gathering and enforcement powers set out in parts 13 and 14B of the *Broadcasting Services Act 1992* apply to the administration of its functions under the code, in accordance with Division 10 of the [code](#).

Point-of-contact obligation

A news business corporation must nominate a point-of-contact for the news business in its application.

A registered news business corporation must acknowledge every communication to their registered point-of-contact that:

- > is from a responsible digital platform corporation
- > relates to covered news content made available by a designated digital platform service of that digital platform corporation.

The ACMA publishes the point-of-contact for the registered news business corporation on the register of eligible news businesses.

A registered news business corporation should review the point-of-contact details and update the ACMA on any changes to the contact person or contact details as soon as practicable.

Obligation to notify of loss of qualification for registration

A registered news business corporation must notify the ACMA, in writing, as soon as practicable in the following circumstances:

- > if it no longer satisfies the revenue test
- > if it no longer satisfies the connection requirement for a registered news business for which it is the endorsed news business corporation
- > if a news business, for which it is the registered news business corporation, no longer satisfies the content, Australian audience or professional standards tests.

Note that the requirement to satisfy the content, Australian audience and professional standards tests applies to all news sources that comprise the news business.

If changes to a news source results in a change to the primary or dominant purpose of that publication, the ACMA must be advised. Short-term changes or fluctuations do not need to be reported.

For example, a news source that develops an international audience in addition to its domestic audience will continue to satisfy the Australian audience test unless its news content comes to focus on issues relevant predominantly to its international audience. If the news source moves most of its operations overseas however, it would no longer satisfy the Australian audience test.

Similarly, a publication that contains primarily core news but occasionally publishes entertainment content would satisfy the content test unless, over a reasonable period of time, its core news becomes secondary to its entertainment content.

The ACMA advises that where there is doubt, registered news businesses should report a change.

Failure to notify the ACMA is subject to a maximum civil penalty of 600 penalty units, which is currently equal to \$165,000.

Contacting the ACMA and next steps

To update point-of-contact information, notify the ACMA of the loss of qualification for registration or report any other relevant changes, the registered news business corporation can either:

- > submit a form via the online application portal
- > email the ACMA at bargainingcode@acma.gov.au.

The ACMA will update the register on its website, including publishing details of registered news sources that are added or removed. It may also advise designated digital platform corporations and the ACCC of updates to the register.

Last updated March 2024.