SV02 Subscription video on demand services

Notification of change of circumstances

Australian Government

acma Australian Communications and Media Authority

Instructions

This form relates to obligations under Part 8C of the *Broadcasting Services Act 1992*, which are intended to take effect from 1 January 2026, requiring providers of subscription video on demand (SVOD) services to meet Australian content requirements.

Do you need to lodge this form?

This form is for providers of SVOD services whose circumstances have recently changed. You must lodge this form if all of the following **lodgement criteria** apply to you:

- you are a constitutional corporation (that is, a foreign corporation, or a trading or financial corporation formed in Australia)
- you provide an online content service
- the service has or has had at least 250,000 **paying subscribers** in Australia
- the primary, or a significant, purpose of the service is to provide audiovisual content on demand to your paying subscribers
- content on the service is NOT predominantly user-generated
- the service's appeal to the public in Australia is NOT limited because the service either:
  - is targeted to special interest groups
  - is intended only for limited locations, for example, arenas or business premises
  - is provided during a limited period or to cover a special event
  - predominantly provides programs of limited appeal
- one of more of the following **notifiable circumstances** apply to you:
  - you started or stopped being a provider of a service
  - you previously lodged an annual notification with the ACMA (form SV01), and information in that notification has changed
  - last year, your service had more than 1 million paying subscribers, and this year it has less than 1 million
  - last year, your service had less than 1 million paying subscribers, and this year it has more than 1 million
  - the service you provided was an SVOD service and had at least 250,000 paying subscribers but has ceased to be an SVOD service.

Please note, 'paying subscriber' is defined in section 121FU of the *Broadcasting Services Act 1992*.

⚠ **If at any time in the year you have more than 1 million subscribers, you must lodge this form.**

When should you lodge this form?

You must lodge this form **within 60 days of the notifiable circumstance applying to you.**

Clarification

The most common notifiable circumstance is likely to be changes in subscriber numbers. The ACMA does not expect all changes to be notified. We would always expect an SVOD provider to notify us where its subscriber numbers drop under 250,000, or increase to over 1 million.

Otherwise, we expect providers to notify us when subscriber numbers move from one of the following bands to another:

- 250,000 – 499,000
- 500,000 – 799,000
- 800,000 – 899,000
- 900,000 – 999,000

⚠ SVOD providers with over 250,000 paying subscribers are required to lodge an annual notification with the ACMA – see form SV01 for details.

How do you lodge this form?

Email the completed form to svodauscontent@acma.gov.au.

For more information

If you need more information or have questions, including about the rules or definitions, please contact the ACMA Customer Service Centre on 1300 850 115 or email svodauscontent@acma.gov.au.

Please note

Giving false or misleading information is a serious offence. Providing documents that are false and misleading is also a serious offence.

There are penalties for failing to lodge this form.

Disclosure of information

Part 7A of the *Australian Communications and Media Authority Act 2005* (ACMA Act) creates a class of information called authorised disclosure information (ADI) – defined in section 3 of the ACMA Act – which can be shared by the ACMA to other regulatory and administrative bodies and personnel in certain instances. Information collected by the ACMA related to the SVOD rules is ADI. We may disclose ADI on request or by choice. For more information, see the ACMA's *Regulatory Guide No. 3*.

Collection of personal information in this form

The ACMA will not use any of the personal information in this form for any other purpose, nor will we disclose it, unless:

- we have your consent to do so
- you have been told, or you would reasonably expect, that information of the kind may be used or disclosed for the other purpose, being a purpose which is related to the original purpose or, if the information is sensitive personal information, directly related to the original purpose
- the use or disclosure is required or authorised by or under an Australian law, for example, the *Freedom of Information Act 1982*, Part 7A of the ACMA Act or Division 7 of Part 7B of the *Interactive Gambling Act 2001* (see below) or a court/tribunal order, for example, a subpoena
- the ACMA reasonably believes that it is reasonably necessary for one or more enforcement-related activities
- a permitted general situation exists.

View further information on the *Privacy Act 1998* and the ACMA's privacy policy at acma.gov.au/privacy-policy. Our privacy policy contains details about how you may access or correct your personal information held by the ACMA, how you can complain about a breach of the Privacy Act and how we deal with these complaints.

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Part A: Change of circumstances

1. **Company name of provider of the service (provider):**

Please note: It is anticipated that most SVOD services in Australia will each be provided by a single company. But if a service has more than one provider, please provide details for each provider at questions 1–9.

2. **Provider's Australian Business Number (ABN)** (if no ABN, please provide foreign equivalent)**:**

3. **Address of provider's principal Australian office** (if no Australian office, please provide foreign equivalent)**:**

4. **Provider's authorised contact:**

Name:
Title:
Telephone:
Email:

5. **Alternative authorised contact:**

Name:
Email:

6. **Do all the lodgement criteria listed on the cover page of this form apply to you/your service?**

☐ Yes ☐ No

7. **Does one or more of the following notifiable circumstances apply to you?**

☐ Yes ☐ No

If yes: check the relevant box or boxes and then provide details (including the date/s on which the notifiable circumstance/s first occurred/commenced)

☐ You started or stopped being a provider of a service.

☐ Last year, your service had more than 1 million paying subscribers in Australia, and this year it has less than 1 million.

☐ Last year, your service had less than 1 million paying subscribers, and this year it has more than 1 million.

☐ Your service currently has less than 250,000 paying subscribers.

☐ You previously lodged an annual notification with the ACMA (form SV01) and information in that notification has changed.

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Please note: If the change relates to the subscriber numbers not covered by the options above, please notify the ACMA when subscriber numbers move from one of the following bands to another:

- 250,000 – 499,000
- 500,000 – 799,000
- 800,000 – 899,000
- 900,000 – 999,000

Details of notifiable circumstance/s:

8. How many paying subscribers does the service currently have?

9. Do you anticipate that you will be required to lodge an annual compliance report next 14 February? (You need to lodge an annual compliance report if the **Australian content requirement** applies to you in an SVOD reporting year 1 January – 31 December – in summary, it requires you to invest at least 10% of your total program expenditure for Australia – or 7.5% of the service's Australian revenue - on commissions or first-release acquisitions of new eligible Australian programs.)

☐ Yes ☐ No

Part B: Declaration

☐ I declare that I am authorised to lodge this form on behalf of the provider named above and that the information provided is true and correct.

☐ I understand that it is a serious offence to give false or misleading information or provide documents that are false and misleading.

This declaration is made on:

Day:	Month:	Year:

By:

Name:
Title:
Email:
Telephone:
Signature:

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