From:	svodauscontent
To:	[redacted]; svodauscontent
Cc:	[redacted]
Subject:	RE: Embargoed information and request for meeting - SVOD Australian Content Requirement [SEC=OFFICIAL]
Date:	Monday, 30 March 2026 2:43:16 PM
Attachments:	image001.png image002.png image003.png image004.png

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OFFICIAL

Good afternoon [redacted],

Thank you for your patience while we have considered responses to the two questions you have raised below. In answering the second question we have consulted with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.

Answers are set out below.

Happy to talk through any of the below at our 23 April meeting, or via email.

[redacted]

1. ***post-production: In the guidelines: "SVODs can acquit their expenditure requirement using expenditure incurred on...some post-production expenditure, including editing – like image post -production and sound post-production – and visual effects." Could you provide more detail on what elements of post production or VFX you expect to be counted towards an obligation. For example would such expenditure be any separate post or VFX packages not already included in the overall expenditure on a production?***

Qualifying expenditure directly linked to the making of the eligible Australian program may be used to acquit an SVOD services' expenditure requirement for the relevant year. The factsheet sets out two examples of post-production expenditure that are clearly relevant to the finalisation of a program after principal photography- visual effects and editing. Other examples post-production expenditure include the creation of trailer materials. Costs following the completion of a production, such as those associated with a film's premiere or press tour activities, would likely be considered out of scope.

2. ***it is unclear how streamers attached to a broadcaster can count or double count their obligations. For example can a streamer such as Stan or Paramount+ count the spend on a production if shown before Nine or Ten and can then Nine or Ten count the same production towards its compliance for hours broadcast?***

The way the CTV scheme and the SVOD Australian Content Requirement interact reflects government policy settings.

As you know SVODs acquit their expenditure requirement by spending on eligible Australian programs before they are made available to the public in Australia except via cinema release. The obligations on commercial television licensees are different.

Commercial television licensees acquit their obligations by broadcasting:

- Australian programs at least 55% of the time between 6am and midnight under the BSA – these programs are not required to be first release, and
- 250 points worth of Australian programs during the calendar year under the ACCTS. These programs must be first release, which is defined, in summary, as not having been shown on another commercial broadcasting service (that is, they're still eligible if they've been shown on a subscription television broadcasting service, broadcast video on demand service, or SVOD service). If the program is commissioned or co-commissioned, the CTV licensee must demonstrate to the ACMA that it made a 'material and meaningful' financial contribution to the production of the program before the production has been completed.

Where a program is a co-commission between a SVOD provider and a commercial free-to-air broadcaster, the cost incurred by the SVOD provider on the eligible Australian program can be counted toward acquitting the SVOD's expenditure obligation so long as the cost is incurred before the program is released in Australia – except in a cinema (even if it is then subsequently shown on a free-to-air broadcaster first).

OFFICIAL

From: [redacted]@netflix.com>
Sent: Wednesday, 18 March 2026 9:06 PM
To: svodauscontent <svodauscontent@acma.gov.au>
Cc: [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@acma.gov.au>
Subject: Re: Embargoed information and request for meeting - SVOD Australian Content Requirement [SEC=OFFICIAL]

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Thanks [redacted],
We greatly appreciate the ACMA's ongoing consultation as we work through the SVOD compliance process. [redacted]

In the meantime, we were wondering if we could get clarification on a couple of points, which have been raised internally at Netflix:

(1) post-production: In the guidelines: *SVODs can acquit their expenditure requirement using expenditure incurred on…some post-production expenditure,*

including editing – like image post-production and sound post-production – and visual effects. Could you provide more detail on what elements of post production or VFX you expect to be counted towards an obligation. For example would such expenditure be any separate post or VFX packages not already included in the overall expenditure on a production?

(2) also it is unclear how streamers attached to a broadcaster can count or double count their obligations. For example can a streamer such as Stan or Paramount+ count the spend on a production if shown before Nine or Ten and can then Nine or Ten count the same production towards its compliance for hours broadcast?

Many thanks

[redacted]

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OFFICIAL

On Fri, Mar 13, 2026 at 10:51 AM svodauscontent <svodauscontent@acma.gov.au> wrote:

> OFFICIAL
>
> Dear [redacted],
>
> Meeting request:
>
> [redacted]
>
> [redacted]
>
> [redacted]
>
> - [redacted]
> - [redacted]

Consent to disclose:

We appreciate Netflix's consent to disclose that it has over 1 million paying subscribers in Australia and will have an expenditure requirement for the SVOD reporting year. Confirming that this consent is not in relation to the disclosure of the acquittal method.

The information that Netflix is in scope of the requirement may be disclosed by an ACMA on our website, and in response to queries we may receive about who has an expenditure requirement this reporting year.

Kind regards,
[redacted]

[redacted]
Policy and Regulation Advisor
Content Reporting and Bargaining Section

Australian Communications and Media Authority
[redacted]@acma.gov.au
acma.gov.au



The ACMA acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, culture and community. We pay our respects to Elders past, present and future.

OFFICIAL

From: [redacted]@netflix.com>
Sent: Sunday, 8 March 2026 9:19 PM
To: svodauscontent <svodauscontent@acma.gov.au>
Cc: [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>
Subject: Re: Embargoed information and request for meeting - SVOD Australian Content Requirement [SEC=OFFICIAL]

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Dear [redacted],
We appreciate receiving the relevant forms to be published on Tuesday (10/3),

Meeting request:

[redacted]

Consent to disclose:
As requested, we agree to have our service being disclosed as within the scope of the SVOD Aus Content scheme.
s 47G [redacted] Also will this be disclosed by way of an ACMA media release or indicated on the ACMA website. If a release, would we receive an embargoed copy beforehand?

Thanks again,

[redacted]

[redacted]

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OFFICIAL

On Fri, Mar 6, 2026 at 5:07 PM svodauscontent <svodauscontent@acma.gov.au> wrote:

> OFFICIAL
>
> Afternoon [redacted],
>
> We would be happy to consider the week after (week commencing 30 March) if that is more suitable.
>
> Cheers,
>
> [redacted]
>
> OFFICIAL
>
> **From:** [redacted]@netflix.com>
> **Sent:** Friday, 6 March 2026 4:41 PM
> **To:** svodauscontent <svodauscontent@acma.gov.au>
> **Cc:** [redacted]@acma.gov.au>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]@netflix.com>; [redacted]

[redacted]@netflix.com>
Subject: Re: Embargoed information and request for meeting - SVOD Australian Content Requirement [SEC=OFFICIAL]

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Many thanks team. Will come back to you very shortly on the consent to release question.

[redacted]

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OFFICIAL

On Fri, 6 Mar 2026 at 9:06 am, svodauscontent <svodauscontent@acma.gov.au> wrote:

> OFFICIAL
>
> Good morning [redacted]
>
> **Information on the SVOD Australian Content Requirement**
>
> Thank you for making your annual notification to the ACMA on 1 March, which confirmed that your subscription video on demand (SVOD) service Netflix is a regulated SVOD service and has an Australian content expenditure requirement for the 2026 SVOD reporting year.
>
> Thank you as well for confirming that the provider of the service is Netflix Inc.
>
> The ACMA is now in a position to share embargoed copies of five factsheets that explain key elements of how the Australian Content

Requirement works. The information contained in these factsheets will be published on the ACMA's website on **Tuesday 10 March**.

Please note that these factsheets provide preliminary information, and the ACMA plans to provide additional guidance as the year progresses.

Meeting request

We would appreciate the opportunity to meet with you in the coming weeks to hear from you about what additional guidance materials you would like to see the ACMA develop. We also hope to use this meeting as an opportunity to discuss other implementation priorities.

In the first instance, could you please confirm a few times that you may be able to accommodate a meeting from the week commencing 23 March.

Consent to disclose the name of your service

Understandably, there is some interest from the general public in understanding which SVOD services meet the definition of a major SVOD service – and will therefore have an Australian content expenditure requirement to meet. We wanted to seek your consent to publicly disclose that Netflix has over 1 million paying subscribers in Australia – and will have an expenditure requirement for the SVOD reporting year.

We look forward to hearing from you shortly.

Kind regards,

SVOD Australian Content team

[redacted]
Senior Regulatory Officer
Content Reporting and Bargaining

Australian Communications and Media Authority
[redacted] acma.gov.au
acma.gov.au

The ACMA acknowledges First Nations peoples as the Traditional Owners and Custodians of Australia. We respect and celebrate First Nations peoples as the original storytellers and content creators of the lands on which we work and honour the enduring strength and commitment of Aboriginal and Torres Strait Islander peoples to the land, waters and their communities. We pay our respects to Elders past, present, and emerging.



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