

News Bargaining Initiative Draft legislation: ABC Alumni Submission

Introduction

This submission is made on behalf of the ABC Alumni organisation. ABC Alumni is an association of former Australian Broadcasting Corporation workers who believe passionately in the importance of a well-funded and independent national broadcaster as a vital part of Australian democracy. While not formally connected to the ABC, we have worked since [formation in 2018](#) to advocate for the importance of public service media, especially the ABC, as a key component of a diverse Australian media system.

ABC Alumni has previously made a submission in response to the consultation paper on the News Bargaining Incentive in December 2025.

[Here is a link to that submission.](#)

In response to the current round of consultation on draft legislation, ABC Alumni argues, on the one hand, that the proposed draft legislation is unlikely to be effective in achieving the stated objective of promoting greater diversity in smaller and regional news publishers. On the other hand, it submits that **enhanced incentives offered for social media and search companies to negotiate commercial agreements with the ABC would provide an effective mechanism for achieving that goal.**

Detail

ABC Alumni is strongly supportive of the proposed objectives of the legislation as outlined in Clause 3.

Clause 3 (Objects of the Act) — establishes that the scheme is intended to:

- support **sustainability of Australian news media**
- ensure **fair remuneration for news content**
- promote **diversity, especially smaller and regional publishers**
- encourage **commercial agreements between platforms and news businesses**

It also welcomes the requirement for social media and search firms to lodge annual reports ensuring, we hope, that their liability for the NBI, and the value of offsets will be transparent and publicly available. *[Item 11, Schedule 1 to the Consequential Amendments Bill, subsection 129-5(1) and note to subsection 129-5(1) of Schedule 1 to the TAA 1953]*

ABC Alumni notes that the objectives of the NBI are in part to support diversity especially in smaller and regional publishers. As a result, the offset for expenditure on commercial agreements with smaller and regional publishers will attract a higher offset multiplier (170% compared to 150% for large news businesses) *(Clause 47)*.

However, ABC Alumni submits that, for most large social media or search services, the administrative burden of negotiating contractual agreements with small news services – upwards of 240 - whose content may be of little significance to a broader audience, will mitigate against the effectiveness of this additional incentive, despite the uplifted offset.



As we interpret the proposed legislation, large commercial news publishers with a substantial regional presence – e.g. News Ltd and ACN – may negotiate with social media and streaming organisations a global commercial deal encompassing all their news outlets. In this case, income from those deals may be distributed according to the news publishers' strategic priorities, and may not necessarily contribute to the legislation's objectives of adding to diversity. *[Clause 6 (definitions of 'affiliate', 'connected with' and 'news business corporate group') and subclauses 11(1) and (2) of the Administration Bill].*

Hence, we submit that the proposed arrangements are unlikely to achieve the objective of supporting diversity by providing additional sources of revenue for smaller and regional publishers.

In our submission to the News Bargaining Initiative: Statutory Payment Scheme, we will also argue that the proposed methodology for distributing revenue does not adequately recognise the risk that small regional news providers will be unable to negotiate commercial agreements despite the higher offset. Hence, the weighting towards small and regional news providers as well as those serving marginalised communities should be significant. In addition, news organisations that have negotiated a commercial deal should be excluded from access to this revenue.

ABC Alumni submits that incentives for social media and search organisations to negotiate commercial arrangements with the ABC would be translated into additional resources for regional news reporting, adding to the geographical diversity of news sources. The income from previous News Bargaining Code contracts with Google and Meta was clearly and publicly channelled into [the engagement of more than 50 additional reporters over 20 locations](#).

[In a recent speech in Ballarat](#), ABC Chair Kim Williams gave a succinct summary of the ABC's regional presence. The ABC currently has a newsgathering presence in 58 regional locations, broadcasts from 40 ABC Regional Radio locations – many of which are the only radio stations available. Regional teams provide 800 hours of unique audio programming weekly – with 43 breakfast programs plus numerous morning, drive and evening shows. [The ABC's online news service offers more than 50 localised websites](#), tailoring news to local communities using its regionally based resources.

The ABC's regional presence is the backbone of its emergency broadcasting. This financial year the ABC has activated 651 emergency events; and 659 in the previous year.

[In a recently announced joint initiative with AAP](#), ABC NEWS digital articles relating to public emergencies across regional Australia will be shared with 40 selected local digital news providers on a trial basis for one year. The articles will be distributed via AAP's Newsroom web portal, enabling streamlined access.

The ABC's commitment to regional diversity is second to none, and it has previously channelled any funds from previous commercial deals with social media and search organisations to bolster its regional presence.

We submit that enhanced incentives should be offered for social media and search companies to negotiate commercial agreements with the ABC, with a 170% offset for those agreements, equivalent to that proposed for smaller and regional publishers.

