

[REDACTED]

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**From:** Jennifer McNeill  
**Sent:** Thursday, 13 December 2012 6:38 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]@dbcde.gov.au; Jonquil Ritter; Sue Gabor  
**Subject:** RE: The ACMA's recent inquiries about Lachlan Murdoch's and Rupert Murdoch's media assets [SEC=IN-CONFIDENCE] [DLM=For-Official-Use-Only]  
**Attachments:** 20121213160407218.pdf

**For further information**

Dear [REDACTED]  
Further to earlier email exchange, I enclose a copy of the letter that Mr Chapman has today sent to Senator Milne. Senator Milne wrote to Mr Chapman on 211 May 2012, expressing support for Avaaz's submission.  
Kind regards  
Jennifer

**Jennifer McNeill**  
General Manager  
Content, Consumer & Citizen

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**Australian Communications and Media Authority**

T [REDACTED]  
E [REDACTED]

Executive Assistant: Leanne Hirzel  
T [REDACTED] F +61 2 6219 5200  
E [REDACTED]

[www.acma.gov.au](http://www.acma.gov.au)



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**From:** [REDACTED]  
**Sent:** Thursday, 13 December 2012 12:24 PM  
**To:** Jennifer McNeill  
**Cc:** [REDACTED]; Jonquil Ritter; Sue Gabor  
**Subject:** RE: The ACMA's recent inquiries about Lachlan Murdoch's and Rupert Murdoch's media assets [DLM=For-Official-Use-Only] [SEC=IN-CONFIDENCE]

Thanks Jennifer, that all makes sense.

I'll forward this information on to our media team and come back to you if they have any questions.

Best,  
[REDACTED]

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[REDACTED]  
**Senior Adviser**  
Office of Senator Stephen Conroy  
Deputy Leader of the Government in the Senate  
Minister for Broadband, Communications and the Digital Economy

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✉: [REDACTED]

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**From:** Jennifer McNeill [mailto:[REDACTED]]

**Sent:** Thursday, 13 December 2012 12:21 PM

**To:** [REDACTED]

**Cc:** [REDACTED]; Jonquil Ritter; Sue Gabor

**Subject:** The ACMA's recent inquiries about Lachlan Murdoch's and Rupert Murdoch's media assets [DLM=For-Official-Use-Only]

For information only

Dear [REDACTED]

I understand that Mr Chapman has already sent through a copy of the (attached) letter that the ACMA sent to Avaaz yesterday.

It advises Avaaz of the ACMA's position following inquiries into whether Lachlan Murdoch and Rupert Murdoch control each other's media assets.

As part of the ACMA's ongoing monitoring role, we were already making inquiries into the relationships between Lachlan Murdoch, Rupert Murdoch and their respective media assets when Avaaz wrote to us in May. Avaaz raised concerns about possible control of News Limited newspapers by Lachlan Murdoch, which was a matter we were already considering before we heard from Avaaz.

We made extensive inquiries in relation to this matter, which included obtaining information from Lachlan Murdoch, Rupert Murdoch, and the trustee company of the Murdoch family trust.

Upon close examination of the relationships between Lachlan Murdoch, Rupert Murdoch and their respective media assets, we found no evidence of:

- Lachlan Murdoch and Rupert Murdoch acting together in any dealings with the News Limited newspapers
- Lachlan Murdoch being able to influence Rupert Murdoch with respect to the News Limited newspapers.

As a result, the ACMA currently considers that Lachlan Murdoch and Rupert Murdoch are not 'associates' for media control purposes, Lachlan Murdoch is not a controller of the News Limited newspapers, and there is no breach of the media control rules in respect of his media assets.

The ACMA also concluded that:

- Lachlan Murdoch's position as director of News Corporation does not put him in a position to control Rupert Murdoch's newspapers
- Lachlan Murdoch had no involvement in News Ltd or News Corp affairs as suggested by news reports raised by Avaaz
- the Murdoch family trust does not put Lachlan Murdoch in a position to control Rupert Murdoch's newspapers.

We anticipate that Avaaz will publish the ACMA's (attached) letter dated 12 September 2012 on their website.

Please let me know if you have any queries or would like to discuss.

Kind regards

**Jennifer McNeill**  
General Manager  
Content, Consumer & Citizen

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**Australian Communications and Media Authority**

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E [REDACTED]

Executive Assistant: Leanne Hirzel  
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13 December 2012

Senator Christine Milne  
Hobart Electorate Office  
GPO Box 896  
HOBART TAS 7001

Dear Senator Milne

Thank you for your letter dated 21 May 2012, which expressed your support for Avaaz's submission to the Australian Communications and Media Authority (**the ACMA**) concerning possible control of News Limited associated newspapers by Mr Lachlan Murdoch.

In my subsequent letter to you of 1 June, I advised that I would provide you with a further response once the ACMA had concluded its inquiries.

I write to inform you that the ACMA has now concluded its inquiries and remains satisfied that:

- > Mr Lachlan Murdoch is not in a position to exercise control of the News Limited associated newspapers; and
- > Mr Lachlan Murdoch and Mr Rupert Murdoch are not associates within the meaning of the *Broadcasting Services Act 1992* (the Act).

As a consequence, Mr Lachlan Murdoch is not currently in breach of the Act.

Further, the ACMA is also satisfied that Mr Rupert Murdoch is not in a position to exercise control of the TEN Network commercial television broadcasting licences and the DMG Radio Group commercial radio broadcasting licences controlled by Mr Lachlan Murdoch.

Please note that the ACMA has written to Avaaz informing them of the above.

#### **Lachlan Murdoch and Rupert Murdoch as 'associates'**

The term 'associate' is defined in section 6 of the Act to include a parent or child of the person in question. Because Mr Rupert Murdoch is Mr Lachlan Murdoch's father, they are associates under the Act unless the ACMA is satisfied that:

1. they do not act together in any relevant dealings relating to that company or newspaper; and
2. neither of them is in a position to exert influence over the business dealings of the other in relation to the relevant company or newspaper.

At this time, the ACMA remains satisfied of matters 1. and 2. above.

The ACMA has looked closely at whether Mr Lachlan Murdoch and Mr Rupert Murdoch act together in any relevant dealing in relation to the News Limited associated newspapers but has found no evidence that they do.

The ACMA has also considered whether Mr Lachlan Murdoch is in a position to exert influence over the business dealings of Mr Rupert Murdoch in relation to those associated newspapers. Again, it has found no evidence that he is.

**Lachlan Murdoch as otherwise in a position to exercise control of News Limited**

As a result of its inquiries, the ACMA is also satisfied that Mr Lachlan Murdoch is not otherwise in a position to exercise control of News Limited. In particular, Mr Lachlan Murdoch is not involved in the affairs of News Limited and does not have company interests in News Corp of more than 15 per cent.

**Future developments**

The ACMA will continue to monitor developments and issues to ensure that the Act is being complied with and will continue to undertake such inquiries and investigations as it deems appropriate where it suspects breaches of the control rules may have occurred.

Thank you again for your letter.

Yours sincerely



Chris Chapman  
Chairman

