

# Comparison of annual compliance results Metropolitan commercial television networks

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# Executive summary

Commercial television licensees in Australia are required to meet certain minimum standards for the broadcast of Australian content. Each year, licensees report to the Australian Communications and Media Authority (ACMA) on their compliance with those minimum standards. The ACMA publishes the annual results on its [website](#).

The minimum standards are:

1. the Australian content transmission quotas, required by section 121G of the *Broadcasting Services Act 1992* (BSA) – the transmission quotas
2. the new first release Australian program points quotas, required by the Broadcasting Services (Australian Content and Children’s Television) Standards 2020 (ACCTS) – the points quota.

While the BSA transmission quota obligations have been long standing, the ACCTS points quota is new and came into effect on 1 January 2021. As such, 2021 is the first year of reporting under the ACCTS.

The ACCTS consolidated and replaced the Broadcasting Services (Australian Content) Standard 2016 (the ACS) and the Children’s Television Standards 2009 (CTS). The ACS and CTS set out format-specific sub-quotas for Australian drama, children’s content (including Australian children’s drama), and documentaries. In addition, for Australian drama and Australian children’s drama, they set out triennial requirements.

Like the ACCTS, the ACS and CTS ran on a points system.

## Approach to comparing data

The 2021 ACCTS *points quota* results for metro licensees cannot be directly compared to the 2020 results. This is because results under the previous standards and the ACCTS calibrate their respective quota points differently. For example, the new standard provides increased points for commissioned Australian drama programs with higher production budgets.

The *hours* of first release Australian content broadcast to audiences for 2020 and 2021 claimed by licensees could be compared; however, less categories of content can be claimed under the ACCTS so such a comparison may be misleading. For example, broadcasters can no longer claim first release acquired programs (aside from Australian films).

As the points scheme introduced by the ACCTS favours high-budget drama productions (including children’s drama), the overall high cost of these productions mean less hours are likely to be produced and claimed by licensees.

**Appendix A** sets out the differences between the ACS/CTS and the ACCTS points quotas.

This paper comprises:

- > **Part 1:** transmission quota annual compliance results for commercial television networks from 2012 (primary channels) and 2013 (non-primary channels) to 2021
- > **Part 2:** the *hours* claimed as part of the annual points quota for first release of certain genres in the ACS/CTS or the ACCTS from 2012 to 2021
- > **Part 3:** expenditure on Australian drama programs broadcast from 2012–13 FY to 2020–21 FY.

# Part 1: Australian content transmission

## Compliance obligations – transmission quotas

The Australian content transmission quotas in the BSA require commercial television licensees to transmit:

1. Australian programs<sup>1</sup> for at least 55% of all programming broadcast between 6 am and midnight on their primary television services; and
2. at least 1,460 hours of Australian programs between 6 am and midnight on their non-primary television services (multi-channels).

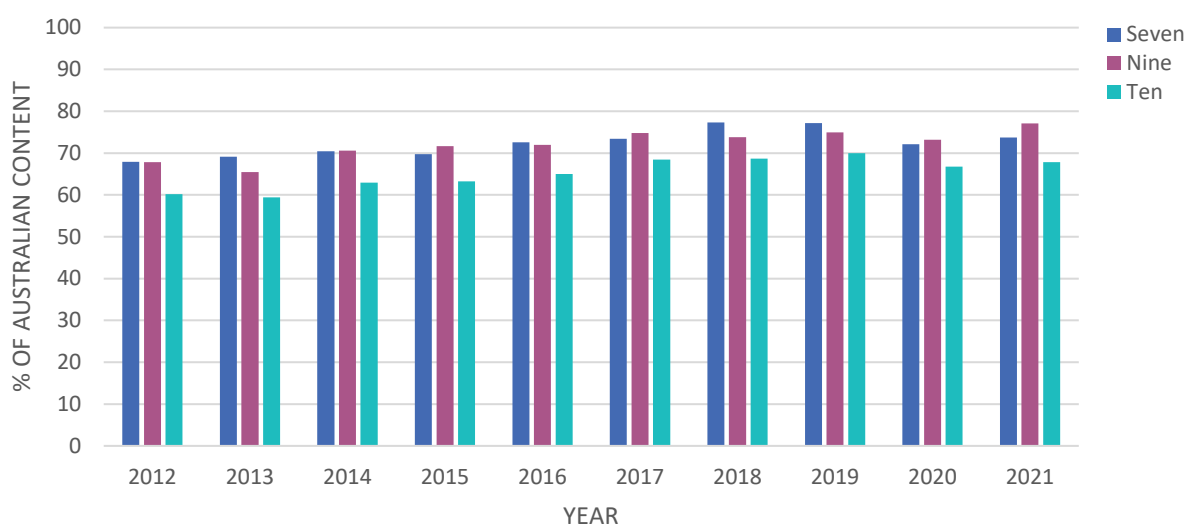
## Primary channel by network, 2012 to 2021

Table 1: Average percentage of Australian content claimed by primary channels, 2012 to 2021

Network	Minimum annual requirement: 55% of programs broadcast between 6 am and midnight in a year									
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Seven:</b> average % claimed	67.94	69.13	70.46	69.77	72.55	73.41	77.33	77.15	72.14	73.73
<b>Nine:</b> average % claimed	67.86	65.49	70.59	71.63	71.98	74.77	73.81	74.93	73.18	77.10
<b>Ten:</b> average % claimed	60.19	59.45	62.90	63.28	64.99	68.43	68.70	69.94	66.76	67.85

Note: Discrepancies may exist in the totals due to rounding.

Figure 1: Average percentage of Australian content claimed by primary channels, 2012 to 2021



<sup>1</sup> An 'Australian program' is one that is produced under the creative control of Australians. This may include having Australian producers, directors, writers and cast.

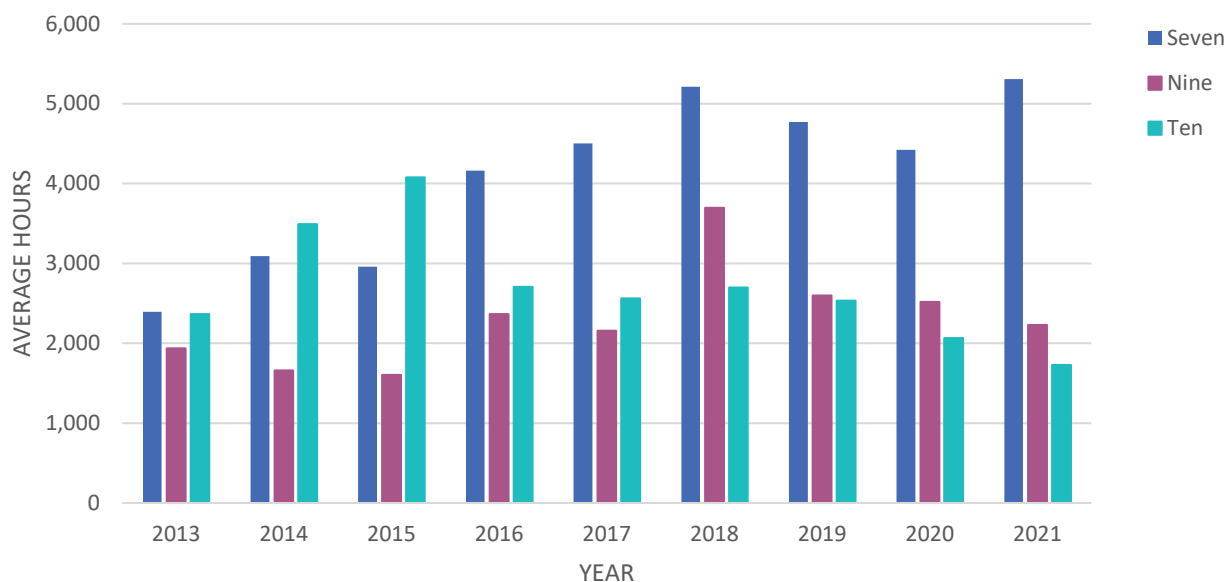
## Non-primary channel by network, 2013 to 2021

Table 2: Average hours of Australian content claimed by non-primary channels, 2013 to 2021

Network	Minimum annual requirement – hours broadcast between 6 am and midnight:								
	730	1,095	1,460	1,460	1,460	1,460	1,460	1,460	1,460
	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Seven:</b> average hours claimed	2,393.28	3,092.21	2,959.96	4,162.95	4,501.88	5,210.20	4,770.46	4,422.21	5,307.00
<b>Nine:</b> average hours claimed	1,935.73	1,662.32	1,604.04	2,364.53	2,157.85	3,696.44	2,597.64	2,519.95	2,230.33
<b>Ten:</b> average hours claimed	2,365.92	3,490.59	4,077.94	2,707.29	2,561.82	2,696.83	2,532.94	2,063.53	1,727.38

Note: Discrepancies may exist in the totals due to rounding. This quota requirement was introduced in 2013.

Figure 2: Average hours of Australian content claimed by non-primary channels, 2013 to 2021



# Part 2: First release Australian program points quota

## Compliance obligations – points quota

The [ACCTS](#) commenced on 1 January 2021. It requires commercial television licensees to broadcast at least 250 points of first release Australian programs, across certain genres, each calendar year. The genres include:

- > commissioned first release Australian drama programs
- > commissioned first release Australian documentary programs
- > commissioned first release Australian children's programs (non-drama)
- > acquired first release Australian films.

'Commissioned' in relation to a program is defined in section 8 of the ACCTS to mean that a licensee or its program supplier has made a 'material and meaningful' financial contribution to the production of a program (before completion). Commissioned programs may include in-house productions or domestic co-productions with national broadcasters, streaming video services or subscription broadcast channels.

The ACMA recognises that the points quota results reported under the ACS/CTS cannot be directly compared to those under the ACCTS as the allocation and calculation of points under each system is different. Appendix A sets out the differences in how points are allocated under the ACS/CTS versus the ACCTS.

This section compares the *hours* claimed under the points quota annual compliance results for first release of certain genres from 2012 to 2021. The points allocated under both systems show the broadcast hours for:

- > first release drama
- > first release children's drama
- > first release children's programming
- > first release documentary
- > acquired Australian films.

We reiterate the ACCTS points allocation system is skewed towards commissioned first release drama programs (including children's drama) with high production costs. That is, the greater the production cost, the greater number of points per hour allocated. Hence, there may be an incentive for broadcasters to claim higher points for commissioned first release drama programs that have less hours of content, overall.

From 2012 to 2020, the ACS/CTS also specified the minimum hours to be broadcast in any given year – for example, children's programming required 130 hours including 25 hours of children's drama, and Australian documentary required 20 hours, which resulted in higher hours of first release content being broadcast in order to comply with the standards.



## First release Australian drama (hours)

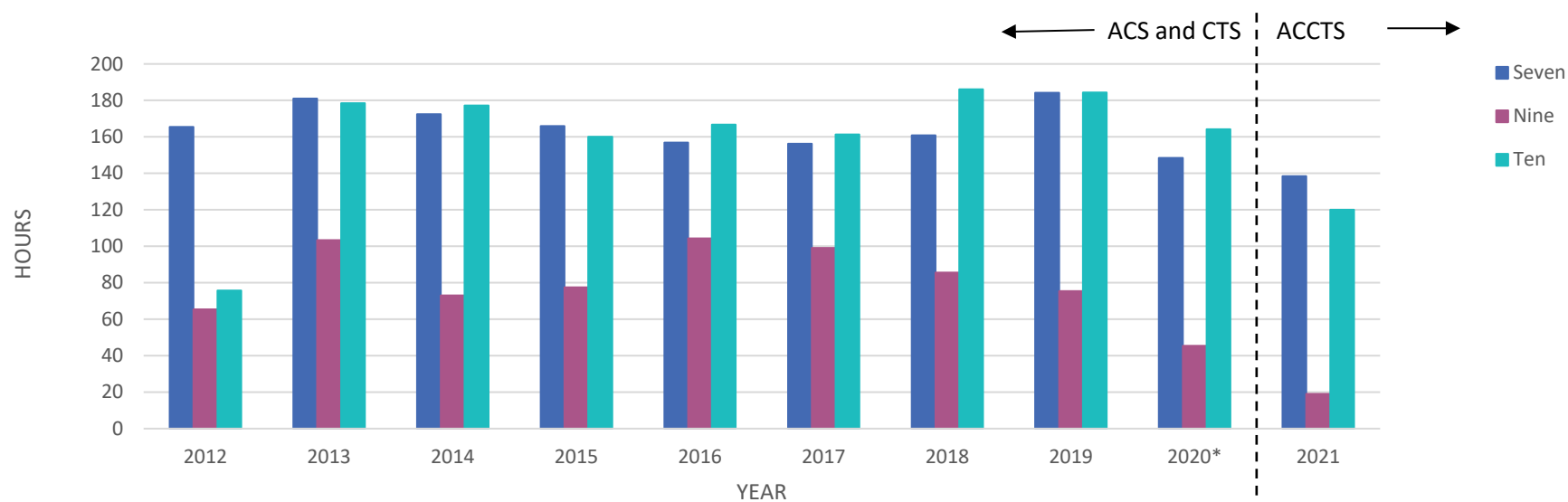
Table 3: Average hours claimed by networks for first release Australian drama, 2012 to 2021

Network	2012	2013	2014	2015	2016	2017	2018	2019	2020*	2021
<b>Seven:</b> average hours claimed	165.51	181.01	172.43	165.88	156.81	156.22	160.78	184.22	148.53	138.50
<b>Nine:</b> average hours claimed	65.42	103.40	73.10	77.50	104.25	99.08	85.58	75.50	45.42	19.00
<b>Ten:</b> average hours claimed	75.77	178.50	177.25	160.05	166.75	161.40	186.08	184.33	164.20	120.00

Discrepancies may exist in the totals due to rounding.

\*Due to the COVID-19 pandemic, the ACMA agreed to exercise forbearance in relation to non-compliance for this obligation.

Figure 3: Average hours claimed by networks for first release Australian drama, 2012 to 2021



## First release Australian children’s drama (hours)

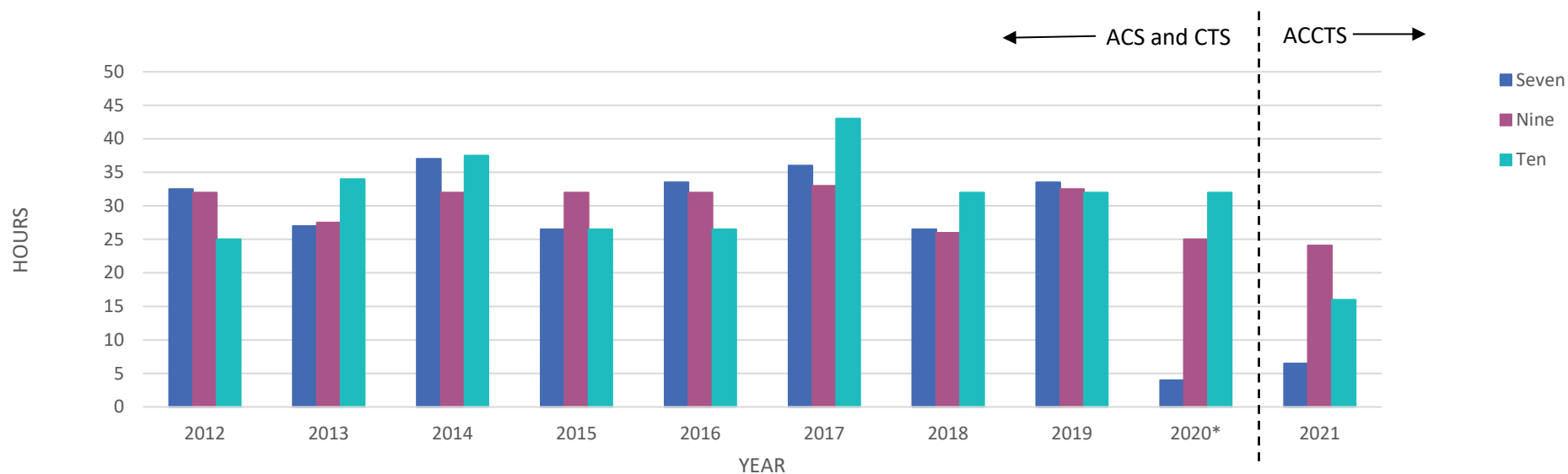
Table 4: Average hours claimed by networks for first release Australian children’s drama programs, 2012 to 2021

Network	Minimum hours required: 25										n/a
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
<b>Seven:</b> average hours claimed	32.50	27.00	37.00	26.50	33.50	36.00	26.50	33.50	4.00	6.50	
<b>Nine:</b> average hours claimed	32.00	27.50	32.00	32.00	32.00	33.00	26.00	32.50	25.00	24.08	
<b>Ten:</b> average hours claimed	25.00	34.00	37.50	26.50	26.50	43.00	32.00	32.00	32.00	16.00	

Note: Discrepancies may exist in the totals due to rounding.

\*Due to the COVID-19 pandemic, the ACMA agreed to exercise forbearance in relation to non-compliance for this obligation, provided a reduced amount of 64 hours was met for the triennial period.

Figure 4: Average hours claimed by networks for first release Australian children’s drama programs, 2015 to 2021



## First release Australian children’s programs (including drama)

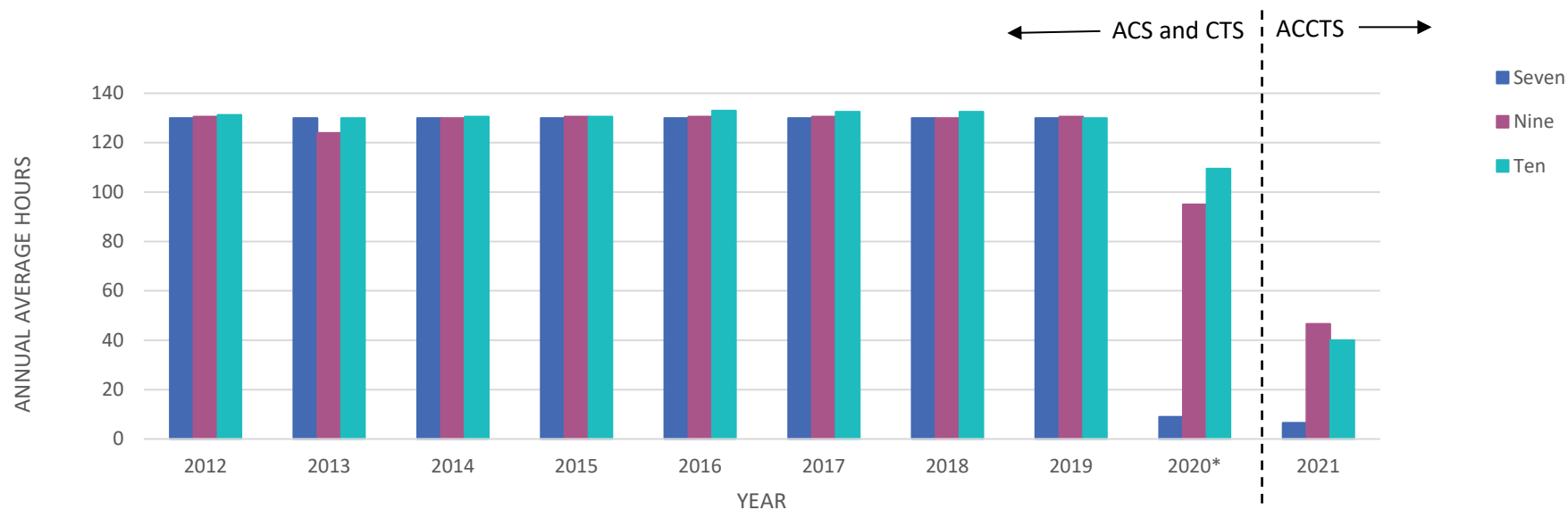
Table 5: Average hours claimed by networks for first release Australian children’s programs (including drama), 2012 to 2021

Network	Minimum hours required: 130									n/a
	2012	2013	2014	2015	2016	2017	2018	2019	2020*	2021
<b>Seven:</b> average hours claimed	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	9.00	6.50
<b>Nine:</b> average hours claimed	130.50	124.00	130.00	130.50	130.50	130.50	130.00	130.50	95.00	46.58
<b>Ten:</b> average hours claimed	131.20	130.00	130.50	130.50	133.00	132.50	132.50	130.00	109.50	40.00

Note: Discrepancies may exist in the totals due to rounding;

\*Due to the COVID-19 pandemic, the ACMA agreed to exercise forbearance in relation to non-compliance for this obligation.

Figure 5: Average hours claimed by networks for first release Australian children’s programs (including drama) – 2012-2021



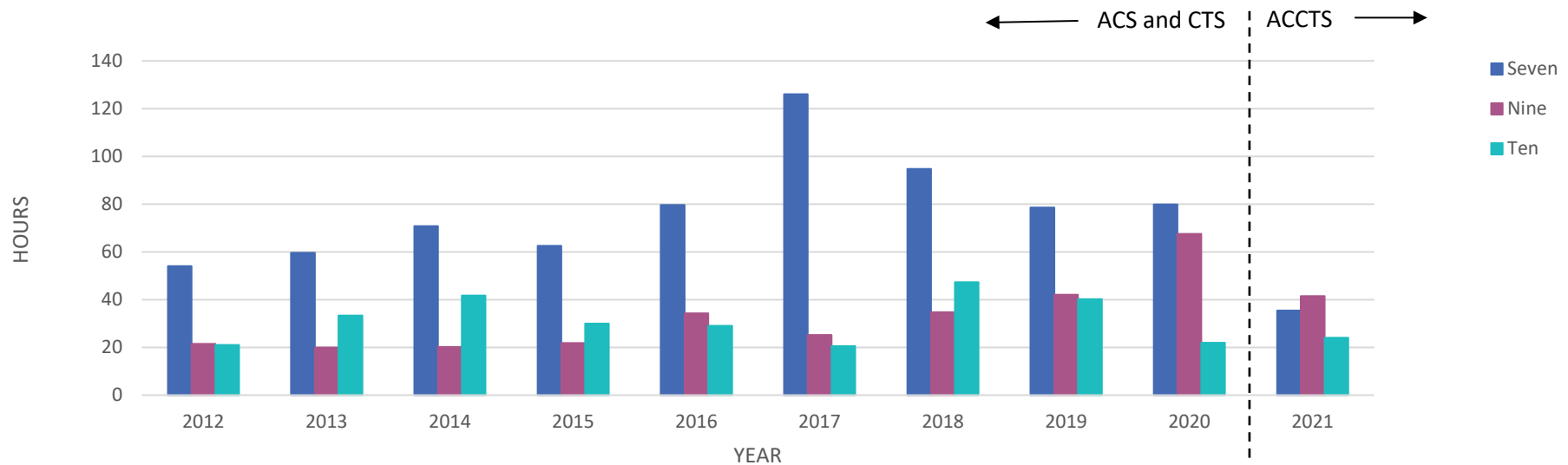
## First release Australian documentary (hours)

Table 6: Average hours claimed by networks for first release Australian documentary, 2012 to 2021

Network	Minimum hours required: 20										n/a
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
<b>Seven:</b> average hours claimed	54.10	59.59	70.85	62.58	79.62	126.04	94.82	78.54	79.87	35.50	
<b>Nine:</b> average hours claimed	21.50	20.00	20.25	21.83	34.25	25.17	34.75	42.03	67.50	41.47	
<b>Ten:</b> average hours claimed	21.00	33.40	41.70	30.00	29.00	20.58	47.33	40.17	22.00	24.00	

Note: Discrepancies may exist in the totals due to rounding.

Figure 6: Average hours claimed by networks for first release Australian documentary, 2012 to 2021



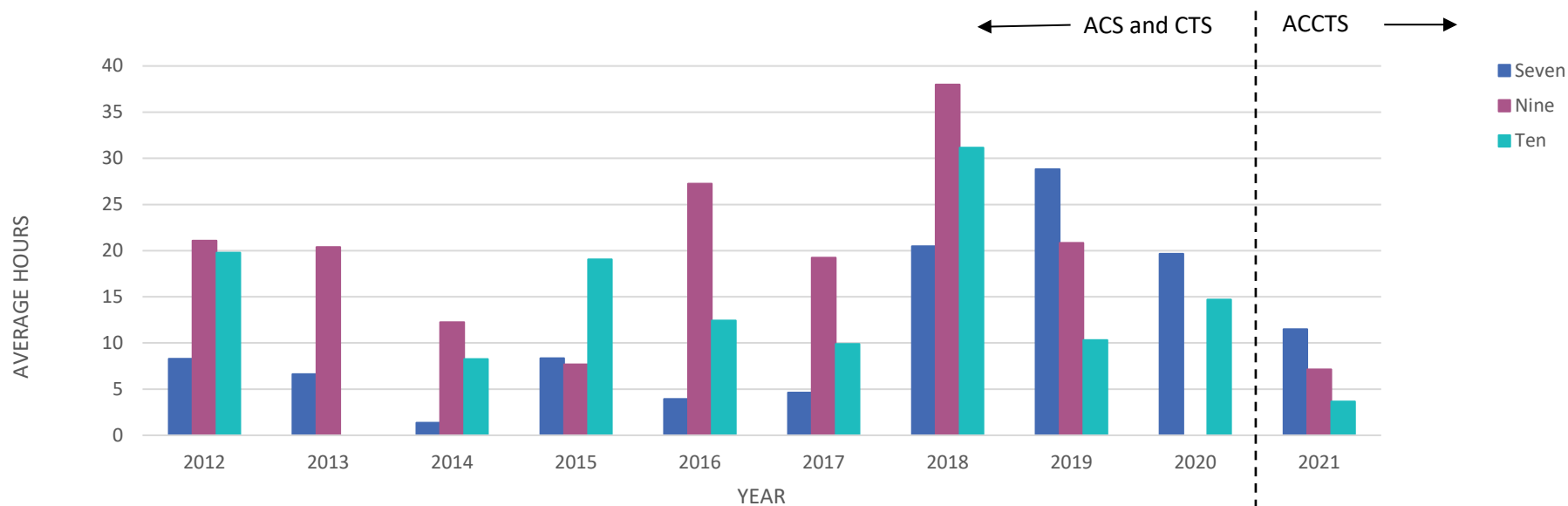
## First release acquired Australian films (hours)

Table 7: Average hours claimed by networks for first release acquired Australian feature films, 2012 to 2021

Network	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Seven:</b> average hours claimed	8.29	6.63	1.36	8.34	3.92	4.62	20.48	28.84	19.65	11.5
<b>Nine:</b> average hours claimed	21.08	20.40	12.25	7.67	27.25	19.25	38.00	20.83	0.00	7.15
<b>Ten:</b> average hours claimed	19.77	0.00	8.25	19.05	12.42	9.90	31.17	10.33	14.70	3.67

Note: Discrepancies may exist in the totals due to rounding.

Table 8: Average hours claimed by networks for first release acquired Australian feature films, 2012 to 2021



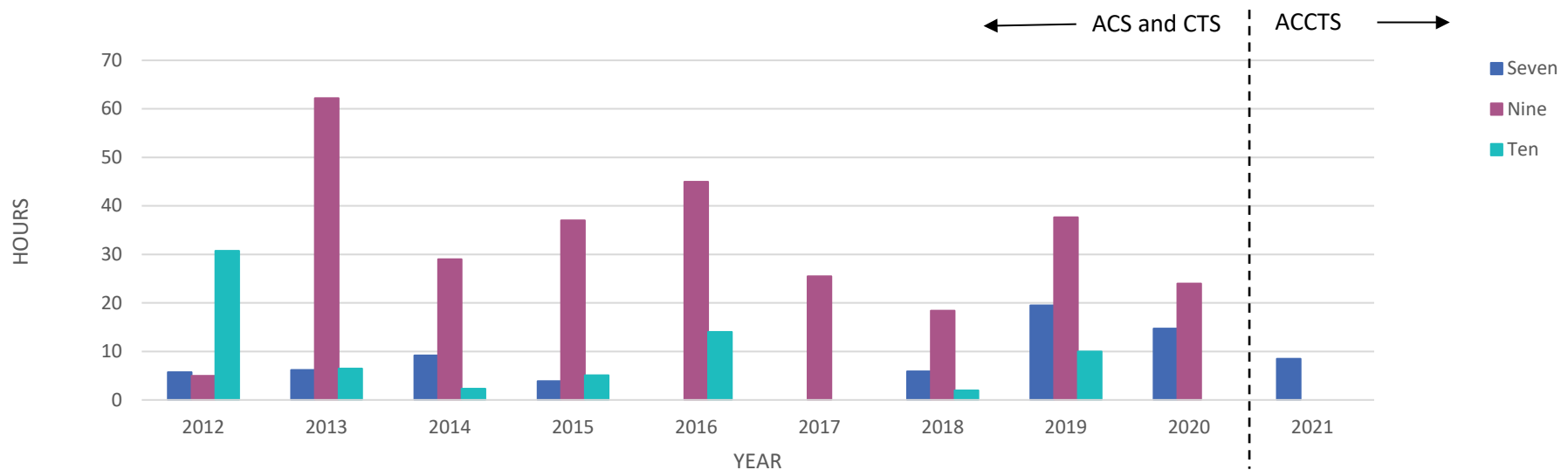
## New Zealand drama (hours)

Table 9: Average hours claimed by networks for New Zealand drama programs, 2012 to 2021

Network	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Seven:</b> average hours claimed	5.72	6.19	9.20	3.88	0.00	0.00	5.90	19.48	14.70	8.50
<b>Nine</b> average hours claimed	5.00	62.23	29.00	37.00	45.00	25.50	18.42	37.67	24.00	0.00
<b>Ten</b> average hours claimed	30.73	6.50	2.33	5.08	14.00	0.00	2.00	10.00	0.00	0.00

Note: Discrepancies may exist in the totals due to rounding.

Figure 7: Average hours claimed by networks for New Zealand drama programs, 2012 to 2021



# Part 3: Expenditure on Australian drama

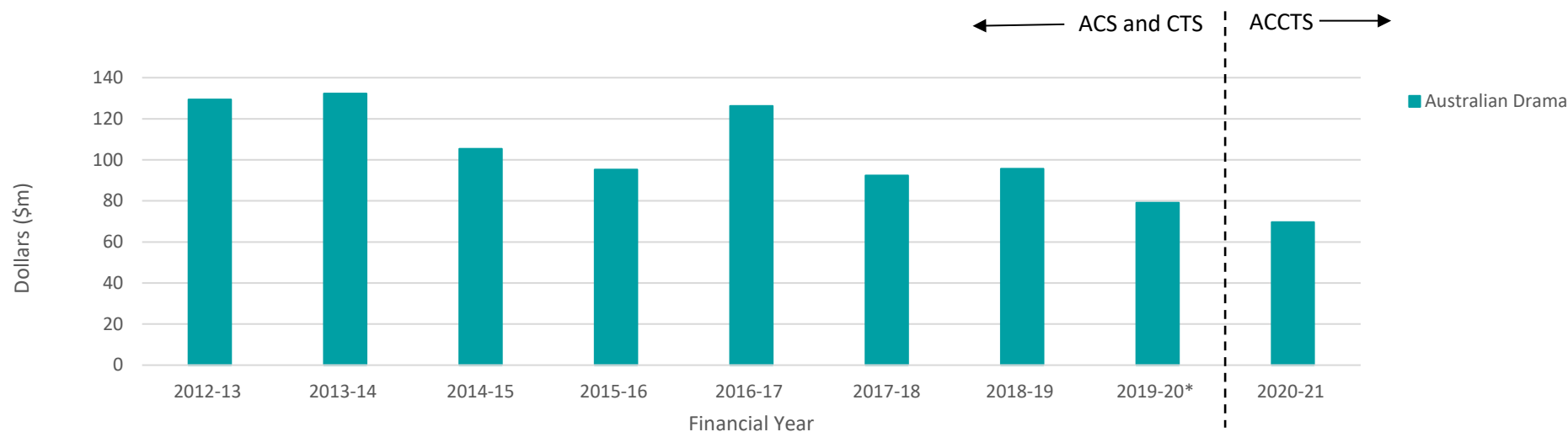
**Table 10: Expenditure on Australian drama by commercial television licensees – 2012/13 FY to 2020/21 FY**

	2012/13 FY	2013/14 FY	2014/15 FY	2015/16 FY	2016/17 FY	2017/18 FY	2018/19 FY	2019/20 FY*	2020/21 FY
\$ (mil)	129.4	132.3	105.4	95.2	126.3	92.4	95.7	79.1	69.7

Note: Figures for 2012 to 2020 do not include spending on children’s drama.

\*Due to the COVID-19 pandemic, the ACMA agreed to exercise forbearance in relation to non-compliance for first release Australian drama quota requirement which may have impacted these results.

**Table 11: Expenditure on Australian drama by commercial television licensees – 2012/13 FY to 2020/21 FY**



ACMA disclaimer: The information contained in this report is based on data provided by commercial broadcasting licensees to the ACMA. The data has not been verified or audited by the ACMA. Therefore, the ACMA makes no representation as to the accuracy of the data. Any report, re-transmission or reproduction of this expenditure information must include: (a) a disclaimer in the same or substantially similar terms to the ACMA disclaimer; or (b) a link to the ACMA disclaimer.

# Appendix A: Comparison of annual Australian content obligations under the ACCTS versus the ACS/CTS

Table 12: CTS, ACS, ACCTS compliance obligations for Australian content

Quota name	ACS (to 2020)	CTS (to 2020)	ACCTS (from 2021)
First release Australian drama	250 points <sup>2</sup> of first release Australian drama per year	n/a	Points <sup>3</sup> allocated per broadcast hour dependant on production budget cost (includes children's drama)
Triennial quota for first release Australian drama	860 points <sup>2</sup> of first release Australian drama each triennium	n/a	n/a
First release Australian documentary	20 hours of first release Australian documentary per year	n/a	Points <sup>3</sup> per broadcast hour (capped at 50 points)
First release Australian children's drama	25 hours of first release Australian children's (C) drama per year	n/a	See first release Australian drama above
Triennial quota for first release Australian children's drama	96 hours of first release Australian children's drama each triennium	n/a	n/a
Repeat Australian children's drama	8 hours of repeat Australian children's drama per year	n/a	n/a
All children's programs	n/a	260 hours of children's programming per year	n/a
All children's programs	50 per cent of total children's programs to be first release Australian children's programs	n/a	n/a
Pre-school programs	n/a	130 hours of Australian preschool (P) programming per year	See children's non-drama below for first release P programs
First release children's non-drama	n/a	n/a	Points <sup>3</sup> per broadcast hour
Acquired first release Australian films	n/a	n/a	Points <sup>3</sup> allocated per broadcast hour dependant on acquisition cost

<sup>2</sup> Points are equal to the duration of a program (in hours) multiplied by the relevant drama format factor, as shown in Table 13 below.

<sup>3</sup> Points are allocated according to broadcast hours, genre and expenditure (for films and drama programs), as shown in Table 14 below.



**Table 13: Format factor to calculate points per hour broadcast under the ACS for first release Australian drama programs**

Program type	Format factor
Australian drama series or serial produced at the rate of more than one hour per week	1
Australian drama series or serial produced at a rate of one hour or less per week	2.5
Australian drama series or serial produced at a rate of one hour or less per week and acquired from an independent producer for a licence fee of at least \$434,000 per hour (adjusted for CPI)	3
Australian feature film	2.5
Australian feature film that has been acquired for a licence fee of at least \$218,000	4
Australian telemovie, mini-series or self-contained drama of less than 90 minutes duration	4

**Table 14: Points allocation across genres under the ACCTS**

Genre	Points per hour broadcast
Commissioned first release Australian documentary program (capped at a maximum 50 points per calendar year)	1
Commissioned first release Australian children's program (non-drama)	1.5
Commissioned first release Australian drama program (less than or equal to \$450,000 production budget per hour)	1.5
Commissioned first release Australian drama program (more than \$450,000 up to \$700,000 production budget per hour)	4
Commissioned first release Australian drama program (more than \$700,000 up to \$1,000,000 production budget per hour)	5
Commissioned first release Australian drama program (more than \$1,000,000 up to \$1,400,000 production budget per hour)	6
Commissioned first release Australian drama program (more than \$1,400,000 production budget per hour)	7
Acquired first release Australian film (licence fee per film less than \$50,000)	1
Acquired first release Australian film (licence fee per film equal to or more than \$50,000)	2