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Implementing Australia's TV prominence framework

Thank you for the opportunity to provide these comments in response to the consultation paper on implementing Australia's TV prominence framework. We welcome the Australian Communications and Media Authority's (ACMA) detailed consideration of how it will make determinations and guidelines that may impact the scope and application of the framework.

Fire TV

By way of background, Amazon's mission is to be Earth's most customer-centric company. Our corporate philosophy is rooted in working backwards from what customers want and continuously innovating to provide a better experience. We have a range of products and services that help customers access and enjoy audiovisual content.

Amazon introduced the first-generation Fire TV Stick in Australia in 2018. Our Fire TV streaming media players connect to televisions via HDMI and provide access to thousands of apps, including the regulated television services' apps (10play, 9Now, 7plus, SBS On Demand, and ABC iView).

Our focus is on delivering a great customer experience by allowing customers to discover and engage with the content and apps they want. To make it easier to discover and enjoy a wide variety of entertainment and apps, Fire TV surfaces a diverse content selection across all our partners with recommendations for what to watch based on the shows, genres, and apps a customer likes; and provides a number of features that allow customers to optimise the user interface for their preferences. For viewers, Fire TV can significantly enhance the experience of televisions they already own.

We believe it is critical that the regulatory framework is fit for the digital age and retains enough flexibility to enable experimentation and innovation on behalf of customers, including through new and different user interfaces and experiences. The connected TV industry is incredibly competitive with a diverse range of manufacturers involved. We have to constantly develop our products and services to remain relevant and keep up with changing customer expectations. We believe offering customers freedom of choice and high-quality, relevant content helps provide the best possible customer experience. Ultimately, customers should be able to choose what they want to see, and be able to tailor their personal experience based on their own unique preferences.

Response to the ACMA's preliminary views

We offer the following comments on the ACMA's preliminary views:



1. When a regulated television service is taken to be offered

We appreciate the ACMA's recognition that *"the ability for manufacturers to comply with the minimum prominence requirements will depend on those regulated television services (such as BVOD apps) integrating with the specifications for each regulated device."*

As the ACMA notes, it is critical that a regulated television service app *"meet any reasonable manufacturer's specifications before the deadline for inclusion in the relevant device development timeline."*

We believe the approach proposed by the ACMA is workable, and we support the ACMA's proposal that *"to be taken to be offered, an app must meet [manufacturers'] technical specifications [as] ... manufacturers cannot provide an app to users that is incompatible with their app store or operating system."*

2. The primary user interface of the device

We welcome the ACMA's recognition that manufacturers should have the flexibility to apply the prominence framework in differing ways, based on their existing user interfaces. This approach is sensible in circumstances where, as the ACMA notes, there are technical and practical constraints on displaying all regulated television services on a home screen without the user needing to scroll.

We believe the ACMA's proposed approach of describing the primary user interface as a virtual space that may extend beyond the bounds of the initial view is workable. In light of the diverse range of regulated television devices and evolving ways in which customers access and enjoy content, it is important that any determination made by the ACMA regarding the primary user interface is flexible enough to enable manufacturers to continue innovating their products and services.

Thank you again for the opportunity to provide these comments.

Kind regards,

A handwritten signature in black ink, appearing to read "Matt Levey".

Matt Levey

Head of Public Policy – Amazon Australia