

29-October-2025

A statement from the Australian Communications and Media Authority:

There is an exemption in the Broadcasting Services Act for a streaming service that does no more than provide a stream of content that is identical to the stream of programs transmitted on "... a subscription television broadcasting service provided under a subscription television broadcasting licence".

This was made on the basis that the content of those services would already be required to be provided in compliance with relevant broadcasting industry codes of practice and two sets of rules are not applied to the same content provided by two different methods.

Under the broadcasting rules, there is an exemption in the Subscription Broadcast Television Codes of Practice for 'Low Audience Share Channels'. These are subscription television 'Sport Channels' that have an average share of the metropolitan broadcast television audience (free to air and subscription TV) of 0.5% or smaller - over a period of the previous three consecutive financial years.

ESPN, when provided by Foxtel has previously met the test for a low audience share channel.

07-November-2025

The ACMA is concerned about Disney+'s practice and we are urgently seeking additional information from the company about whether its practices align with community expectations, regardless of its interpretation of the applicable rules.