

## SPA WELCOMES EFFECTS TEST CHANGE FOR SMALL BUSINESS

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Today, our CEO Matthew Deaner welcomed the Government's success in passing the effects test through the parliament.

The effects test is contained in an amendment to section 46 of the Competition and Consumer Act, which provides that an applicant only needs to demonstrate that a respondent had the "effect" of substantially lessening competition, rather than demonstrate the big business had a "purpose" of substantially lessening competition. These amendments lower the threshold for small businesses to take action against bigger business where they engage in misusing their market power.

"Screen Producers Australia represents hundreds of small businesses. The Government's achievement today is to give these small businesses a more equal footing through a more accessible competition law regime. I welcome these changes and applaud the Treasurer and the Minister for Small Business for their dedication to small business." Mr Deaner said.

Mr Deaner referred to his [July op-ed in \*The Australian\*](#) and the [Australian Bureau of Statistics Industry Update in June](#), which showed in 2015-16, commercial broadcasters spent 55% of production costs in-house, compared with 44% in 2011-12.

"In our industry, there are significant headwinds for small business. Commercial television broadcasters are shifting to a vertically-integrated model, bringing more production in-house, which is detrimental to small business and in turn, Australian audiences. Small business is the key to local content, as I argued in *The Australian* earlier this year. We must support the small businesses that put their necks and homes on the line to create the Australian stories that Australian audiences love. A diversity of small businesses supplying the market is key to a diversity of programming. Nimble, innovative businesses are best placed to pivot quickly to changing market conditions and bring together our world-renowned creative talent. I look forward to working with the Minister for Small Business on addressing more of these issues in our market."

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### About Screen Producers Australia:

Screen Producers Australia was formed by the screen industry to represent large and small enterprises across a diverse production slate of feature film, television and interactive content. Our members employ hundreds of producers, thousands of related practitioners and drive more than \$1.7 billion worth of annual production activity from the independent sector. On behalf of these businesses we are focused on delivering a healthy commercial environment through ongoing engagement with elements of the labour force, including directors, writers, actors and crew, as well as with broadcasters, distributors and government in all its various forms. This coordinated dialogue ensures that our industry is successful, employment levels are strong and the community's expectations of access to high quality Australian content have been met.