

Submission by Commercial Radio Australia

Review of the Lotteries and Art Unions Act 1901

25 August 2016

1. Background

Commercial Radio Australia (**CRA**) is the peak industry body representing the interests of commercial radio broadcasters throughout Australia. CRA has 260 member stations, comprising 99% of the Australian commercial radio industry.

CRA welcomes the opportunity to contribute to the review being conducted by Liquor and Gaming NSW (**L&GNSW**) of the *Lotteries and Art Unions Act 1901* (the **Act**).

2. Use of Trade Promotion Lotteries

The commercial radio industry in NSW plays a vital role in developing a sense of community and promoting social inclusion, through the provision of entertainment, broadcast of community service announcements and participation in local events.

Trade promotion lotteries are widely used to build listener engagement and participation. They also effectively promote Australian businesses. Commercial radio stations are funded entirely by advertising revenue so trade promotion is an important means by which the industry derives the funds to produce entertaining and informative content.

3. Reduction of regulatory burden

CRA supports L&GNSW's stated objective of modernising the existing drafting of the Act to 'create a more accessible and clear regulatory framework for the community organisations and businesses that are required to comply with it'.¹

The commercial radio industry is subject to a high level of regulatory burden, under the *Broadcasting Services Act 1992* and the numerous Commonwealth, State and Territory laws and regulations relating to advertising. On occasion, these regulatory requirements divert resources that stations would prefer to use to produce high quality content.

We support the intention to 'move from the existing, overly prescriptive legislative framework to a principles based approach to regulation' resulting in 'a significant reduction in red tape for industry'.²

¹ Page 6, Discussion Paper.

² Page 6, Discussion Paper.

We note that this is in line with the regulatory structure in Victoria and Queensland, where permits are not required for trade promotion lotteries.³

4. Support for L&GNSW proposals

The commercial radio industry supports the following proposals:

- to remove the requirement for trade promotions to obtain a permit. In the event that this is not permissible, we support the removal of the requirement for trade promotions with a prize value of under \$10,000 to obtain a permit; and
- only high risk activities will be required to obtain a permit or licence.

If you would like to discuss any of the above points in more detail, please do not hesitate to contact Joan Warner, Chief Executive Officer, on [REDACTED].

³ *Gambling Regulation Act 2003 (VIC) and Charitable and Non-Profit Gaming Act 1999 (QLD).*