

The Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure,
Cities and the Arts
Parliament House
Canberra ACT 2600

Dear Minister

Standing obligation to disclose interests

In accordance with the *Australian Communications and Media Authority Act 2005*, the *Public Governance, Performance and Accountability Act 2013* and the *Public Governance, Performance and Accountability Rule 2014*, members of the Authority have an obligation to disclose any interest they may have which may conflict with the proper performance of their role as members of the ACMA.

The ACMA has processes in place for managing conflicts, either real or perceived, and declarations are made by Authority members annually and at each Authority meeting.

Recently, associate member Ms Anita Jacoby has been appointed to the role of Chair of the ABC's Advisory Council commencing in January 2022. That appointment presents a real or perceived conflict with respect to some aspects of Ms Jacoby's ACMA role. To manage this, arrangements have already been put in place to exclude Ms Jacoby from strategic discussions, information-sharing and decision-making by the Authority on the following matters:

- Content investigations under the *Broadcasting Services Act 1992* relating to ABC programming;
- Content code development and approval, including current strategic work on codes across broadcasting platforms;
- Licence Area Planning for radio under the *Broadcasting Services Act 1992* which involves or could affect ABC services; and
- Any other matters arising under the *Australian Broadcasting Corporation Act 1983*.

I consider that these arrangements will effectively manage any perceived or actual conflicts while allowing the ACMA to continue to benefit from Ms Jacoby's considerable skills and experience.

Otherwise, the declarations made by Authority members address any material personal interest, either direct, indirect, pecuniary or non-pecuniary, to which they may be subject, and I am satisfied that there are no conflicts of interest affecting Authority members other than as referred to above.

Yours sincerely



Nerida O'Loughlin PSM

18 November 2021

Cc: Mr Simon Atkinson, Secretary, Department of Infrastructure, Transport, Regional Development and Communications