

Report on Supply Chain Compliance Volume 3, Number 18. September 17, 2020 Proposed Australian law targets Google and Facebook

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The Australian Competition and Consumer Commission developed a [news media bargaining code](#)^[1] to address a perceived bargaining power imbalance between Australian media organizations and large digital platforms, specifically Google Inc. and Facebook. The release of the draft code in July, followed by a public comment period that ended Aug. 28, comes after the Australian government announced in April that global tech giants should pay for Australian content.

The code allows Australian news media businesses that meet certain criteria to bargain individually or collectively with Google and Facebook over pricing for news items. Both parties would be required to attend mediation sessions that could last up to three months; if no agreement has been made after the three-month period, the code provides a mechanism for binding arbitration on the issue of payment alone.

The code also requires Facebook and Google to provide advance notice of any changes to algorithmic ranking and presentation of news, as well as provide data on user interactions with digital platforms, including duration of stay, views, and content viewed. According to the current draft, Australian news organizations are covered by the code if:

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