

# Competition Commission Media and Digital Platforms Market Inquiry (MDPMI)



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# HEALTHY INFORMATION ECOSYSTEM

- Proactive provision
- Freedom of Information Act
- Procedural efficiency
- Officials engage with press

**ACCESS TO INFORMATION**

**PEOPLE & COMMUNITIES**

**NORMS**

- Transparency
- Culture
- Trust

- Information needs
- Beliefs
- Civic & Scientific literacy
- Media & Information literacy

## MEDIA SYSTEM

### PRIVATE SECTOR

- Market Research & Audience Measurement
- Tech/ICT companies
- Legal organizations
- Advertising

### ENTERTAINMENT

### USER-GENERATED CONTENT

### CIVIL SOCIETY

- Independent, self-regulatory professional bodies/associations/unions
- Monitoring groups
- Digital Rights organizations
- Legal organizations
- Academia

### PUBLIC SECTOR

- Inclusivity
- Languages
- Factchecking & verification
- Independence
- Coverage/Beats

### PUBLIC SECTOR

- Safety & Security
- Digital infrastructure
- Training & Capacity building
- Adaptability
- SEO, metadata, digitization
- Norms
- Habits
- Standards & Codes of Ethics
- Training & Skills Building

- Economic model
- Ownership & independence
- Sources
- Proximity
- Relevance
- Platforms

- Legal regulatory system
- Competition standards

- Privacy/data protection

### DIVERSITY & PLURALISM

### EDITORIAL

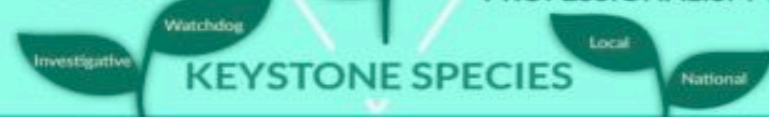
### TRANSPARENCY

### PREPAREDNESS & RESILIENCE

### BIZ/ORG

### PROFESSIONALISM

### KEYSTONE SPECIES



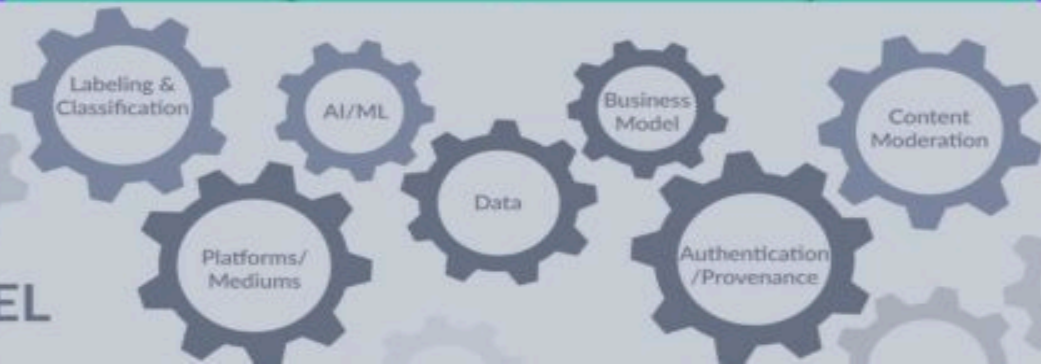
- Political interventionism
- Press/internet freedom

- Funding for Public Service Media

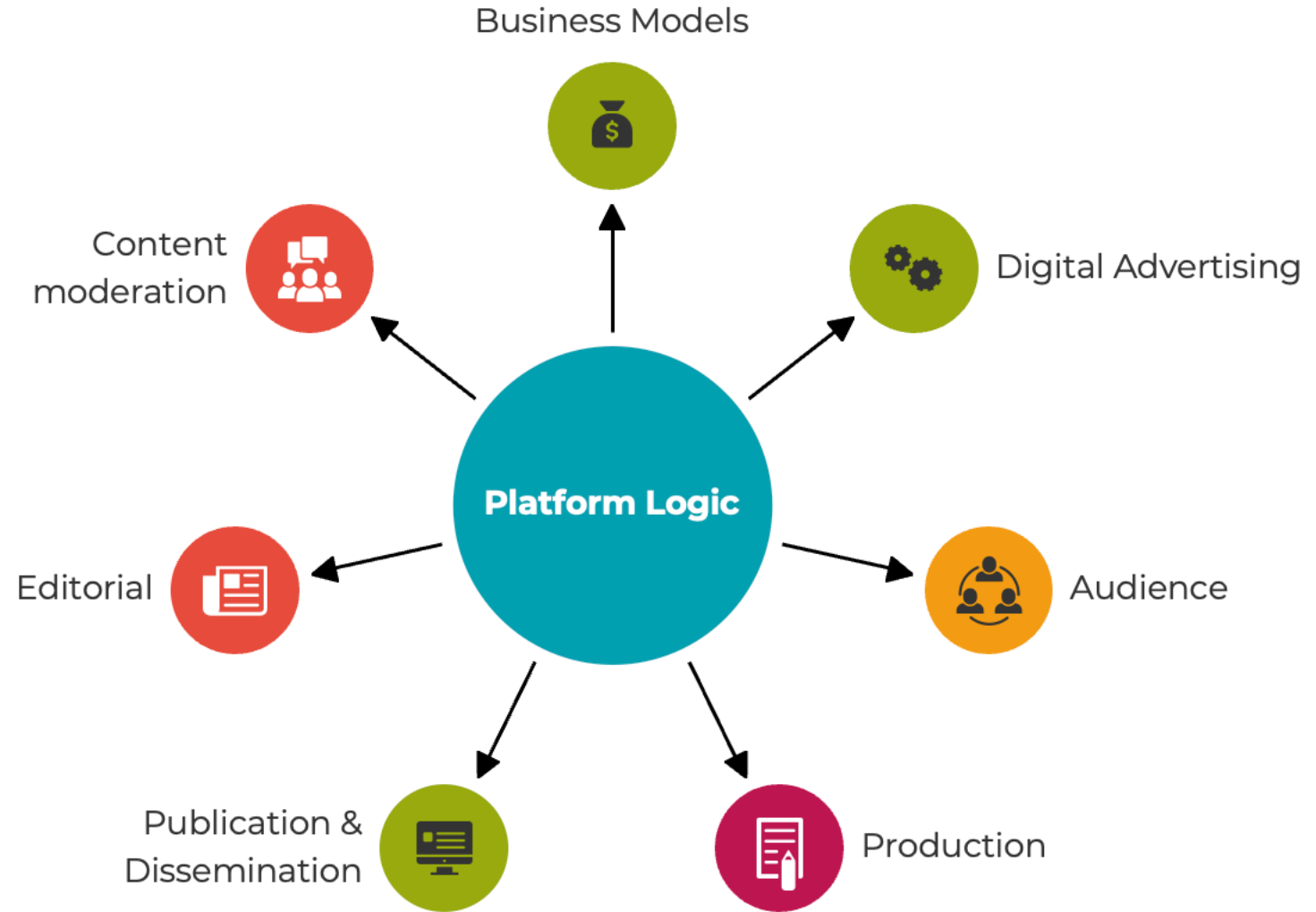
### DATIFICATION & DIGITALIZATION

### ACCESS & CONNECTIVITY

### INFRASTRUCTURAL LEVEL



# Platform Logic & News Media Viability



# Global Context: Power Asymmetries & Big Tech Oligopoly

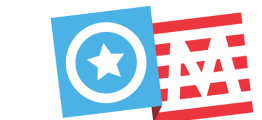
- Declining news media revenues & trust
- Platformization of journalism
  - Internet, social media, now AI
- Digital advertising oligopoly
- Lack of viable business models
- Unregulated, protected, financially thriving tech industries
  - adtech, search, social media, algorithmic intermediation
  - Data
  - Intermediary liability protections
  - Artificial intelligence

Sources: Sustaining Journalism, Sustaining Democracy: A Policy Guide on Platforms and the Press. UCLA Institute for Technology, Law & Policy. April 2023.

Platformization and Media Capture: a Framework for Regulatory Analysis of Media-Related Platform Regulations. UCLA Journal of Law & Technology, Platforms and the Press, 28, no. 2 (Winter 2023): 175–223.

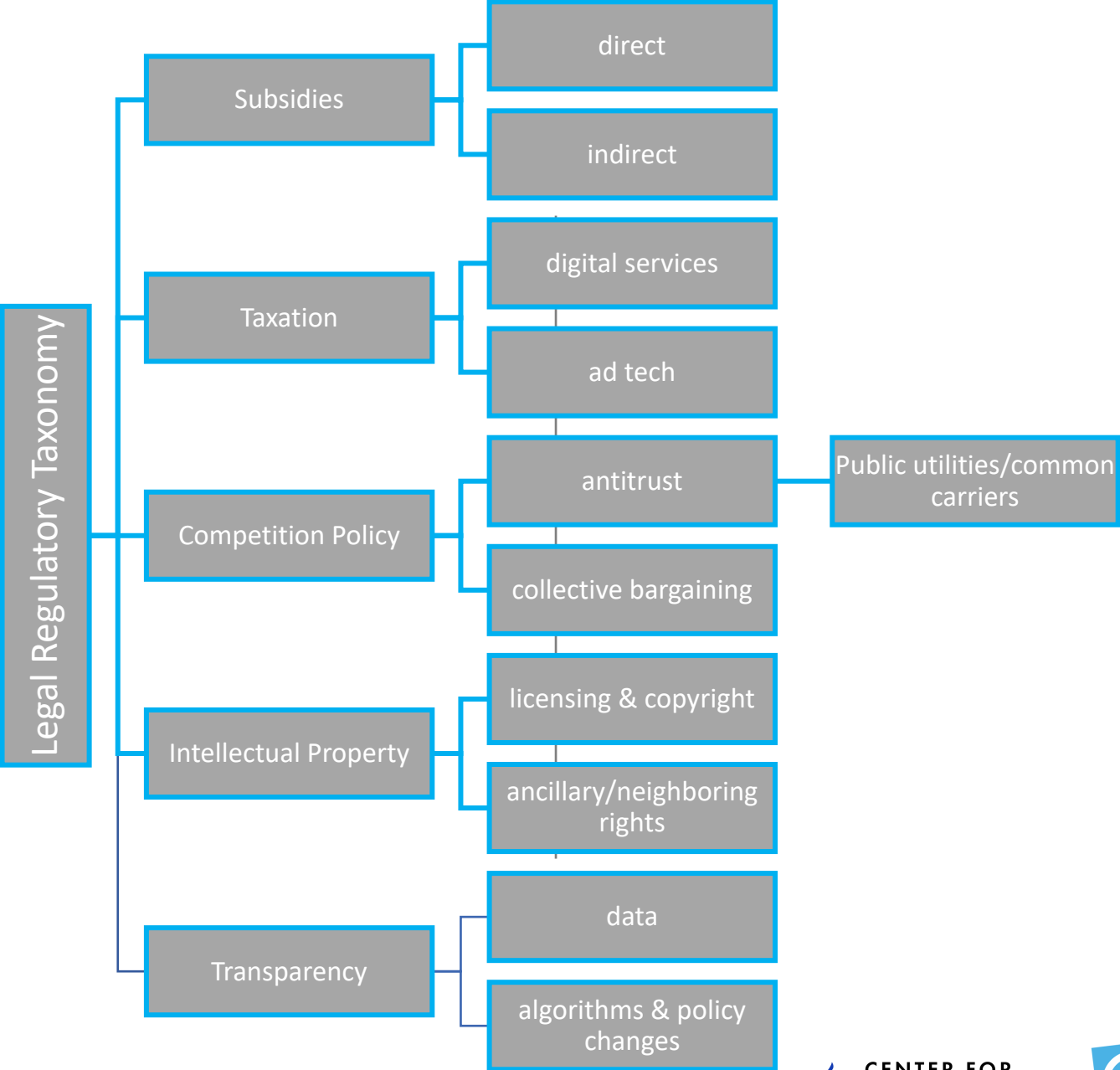


INDEPENDENT • VIGILANT • VITAL



OPEN MARKETS  
LIBERTY • DEMOCRACY • PROSPERITY

# Policy Approaches to Make Big Tech Pay for the News They Use

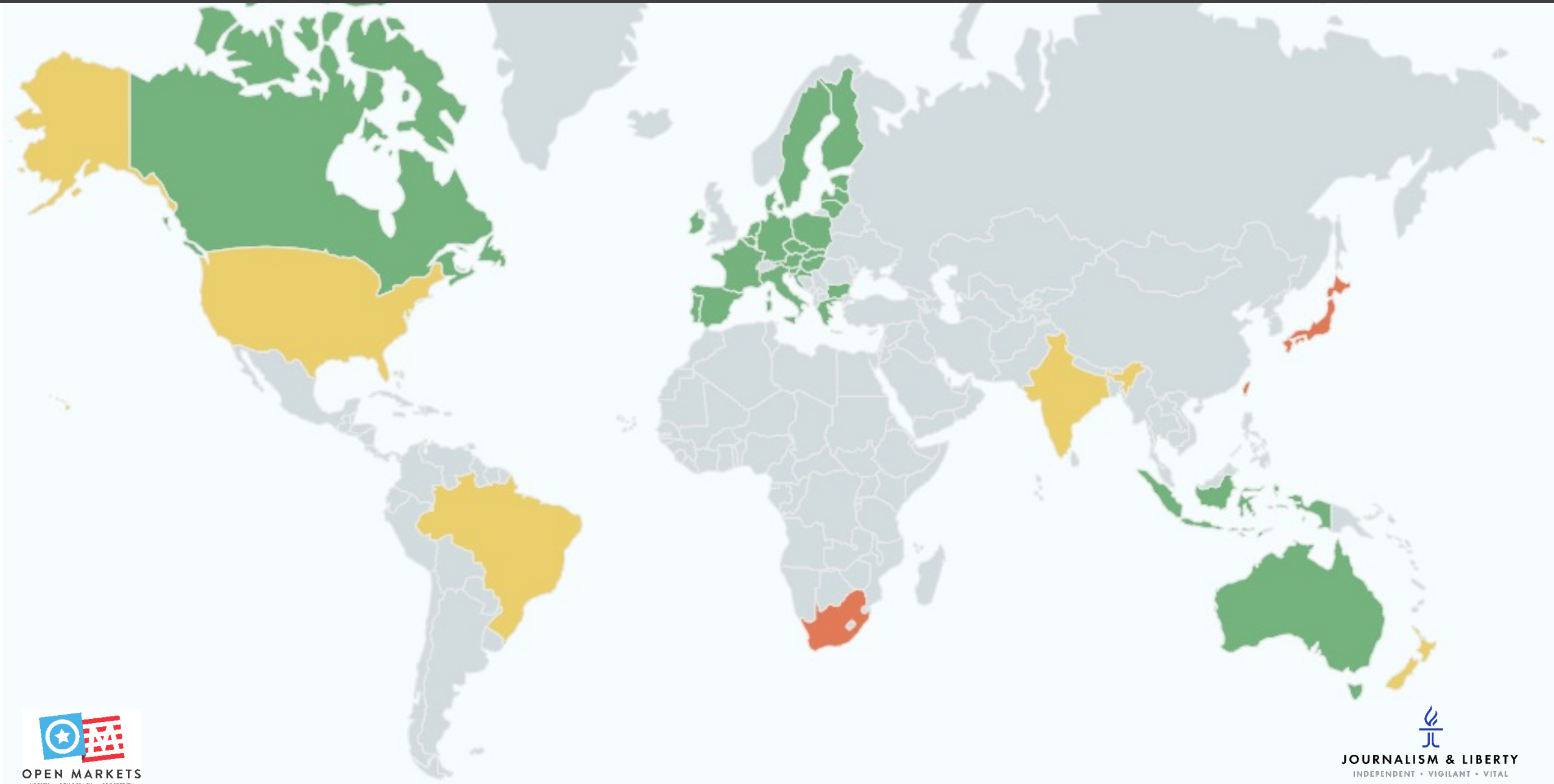


Sources: Sustaining Journalism, Sustaining Democracy: A Policy Guide on Platforms and the Press. UCLA Institute for Technology, Law & Policy. April 2023.

Platformization and Media Capture: a Framework for Regulatory Analysis of Media-Related Platform Regulations. UCLA Journal of Law & Technology, Platforms and the Press, 28, no. 2 (Winter 2023): 175–223.



# Global Tech & Media Fair Compensation Efforts



# Impacts on News Industry

## Impacts on News Industry

- **Australia: News Media and Digital Platforms Mandatory Bargaining Code**

~ \$140 million to news publishers

- Final offer arbitration
- Private, non-public deals
- Most outlets that wanted deals got them
- 100s of new journalism jobs + more journalism job ads & grads getting hired

- **Canada: Initiative: Online News Act, Bill C- 18**

~ \$74 million/year to news publishers

- Google made deals, Meta censoring Canadian news
- Mandatory bargaining requirement
- 5 years exemption from antitrust restrictions for publishers

- **Indonesia: Presidential Regulation on Publishers' Rights**

\$

# Value of News

## Current Approaches

- Informational asymmetries
- Based on referral traffic
- Myopic
- Questionable inclusion of AI
- Formula: Collection/Contribution vs. distribution of funds



# Value of News

## Better Approaches

- Value the presence of news provides to *all* platform users
  - Regardless of clickthrough or engagement
- Role of journalism (e.g. quality information) as supply solution to disinformation problem
- Apply to search & social media platforms AND LLMs & AI systems (e.g. chatbots, GAI search)
- Account for news in LLMs, GAI products & applications
  - Data sets
  - Training, Fine-tuning & alignment
  - Generative applications
    - Search
    - Content creation
    - Summarization & curation

# Recommendations

- **Policymakers:**
  - Require tech industry to provide more **traffic data** as well as how they relate to **revenue and monetization** for news content.
  - Ensure journalism is afforded **IP protection and licensing** requirements are enforced
  - Require **AI companies** to provide information about **use of IP-protected content** in foundation models, training and processing, and AI applications
  - Ensure News Media Bargaining Codes **cover AI** uses
- **Media outlets:** improve their **data collection and analysis** so that they can better understand the links between **traffic, advertising, and content monetization**.
- Allow news **media** to collectively negotiate or join existing media marketplaces that aggregate traffic from multiple media companies.
  - Aid revenue growth without expecting them to develop expertise & hire dedicated staff.
- Direct unilateral support to media outlets by tech platforms should not be a replacement for legal regulatory frameworks that seek to **create a level playing field** and support independent media.