

Facebook's response to Australia's proposed News Media and Digital Platforms Mandatory Bargaining Code

News is important to society and a healthy democracy, and we value the role it plays. However, Australia is proposing legislation to govern the relationship between Facebook and news publishers that misunderstands the dynamics of the internet and ignores important facts about the value publishers receive from Facebook.

Five reasons Facebook does not support Australia's News Media Bargaining Legislation

01
It ignores the benefit news businesses get from using Facebook for free to distribute their stories

→ It presumes only Facebook benefits from news content. This is simply not true. News content represents a fraction of what people see in their News Feed and presents a negligible source of revenue for us. News organisations in Australia and elsewhere choose to post news on Facebook to reach prospective subscribers, monetise their content and sell more advertising.

02
It creates a one-sided, binding arbitration process that forces Facebook to pay for news at a level far beyond its value to Facebook, and what we already invest in news

→ It encourages news businesses to demand payment for content far beyond its commercial value and what we already invest, and to pursue an arbitration process purposefully skewed in their favour. This process ignores the financial value we bring publishers and our existing multi-million dollar investments in Australia's news industry.

03
It intervenes in significant aspects of commercial relationships between platforms and news businesses

→ It does not promote collaboration and instead grants publishers an unprecedented level of control over how we operate many of Facebook's products and features. It allows news businesses to seek commercially sensitive information on our products and services with few protections in place. We don't believe any external business or creators require this level of access.

04
It gives news businesses unprecedented notice of product updates

→ It gives news organisations an unfair advantage on notifications about product changes, service updates and changes to how News Feed works. We don't believe any business should have this advantage and it won't be available to any other content creator or business who use our platforms. We think that's unfair.

05
It hits services that are not news products

→ Facebook has many different products, and only a small proportion of our community shares news content on Facebook. The proposed legislation overreaches to include platforms within the broader Facebook family that are not primarily used to share news content, like Instagram and Facebook Groups. There's no reason they should be subject to the rules of this proposed legislation.

Assuming this draft legislation becomes law, we will reluctantly stop allowing publishers and people in Australia from sharing local and international news on Facebook and Instagram. This is not our first choice - it is our last. But it is the only way to protect against an outcome that defies logic and will hurt, not help, the long-term vibrancy of Australia's news and media sector.