

Overseas Telecommunications (No. 2)

No. 139 of 1968

An Act relating to Overseas Telecommunications Services.

[Assented to 9 December 1968]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Overseas Telecommunications Act* (No. 2) 1968. Short title and citation.

(2.) The *Overseas Telecommunications Act* 1946–1966,* as amended by the *Overseas Telecommunications Act* 1968,† is in this Act referred to as the Principal Act.

(3.) Section 1 of the *Overseas Telecommunications Act* 1968 is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Overseas Telecommunications Act* 1946–1968.

2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement.

* Act No. 23, 1946 as amended by No. 69, 1952; No. 26, 1958; No. 85, 1963; and No. 93, 1966.
† Act No. 31, 1968.

Repeal of Preamble.	3. The Preamble to the Principal Act is repealed.
Parts.	<p>4. Section 3 of the Principal Act is amended by omitting the words and figures—</p> <p>“ Division 1.—Establishment and Constitution of the Overseas Telecommunications Commission (Australia) (Sections 7–17).”</p> <p>and inserting in their stead the words and figures—</p> <p>“ Division 1.—Establishment and Constitution of the Overseas Telecommunications Commission (Australia) (Sections 8–17).”</p>
Definitions.	5. Section 5 of the Principal Act is amended by omitting the definition of “ the Agreement ”.
Repeal of sections 7 and 7A.	6. Sections 7 and 7A of the Principal Act are repealed.
Appointment of officers.	<p>7. Section 18 of the Principal Act is amended—</p> <p>(a) by omitting from sub-section (4.) the words “ paragraph (d) of the last preceding sub-section ” and inserting in their stead the words “ this section ”;</p> <p>(b) by adding at the end of sub-section (5A.) the words “ or appoint to any other position a person who has not passed the appropriate entrance examination but, in the opinion of the Commission, has qualifications appropriate to the position ”; and</p> <p>(c) by omitting from sub-section (5B.) the word “ Appointments ” and inserting in its stead the words “ Subject to the last preceding sub-section, appointments ”.</p>
General functions and duties of Commission.	<p>8. Section 34 of the Principal Act is amended—</p> <p>(a) by adding at the end of paragraph (d) the word “ and ”;</p> <p>(b) by omitting from paragraph (e) the word “ and ” (last occurring); and</p> <p>(c) by omitting paragraph (f).</p>
Commission's powers exercisable outside Australia.	9. Section 34A of the Principal Act is amended by omitting from paragraph (b) the words “ established under the Agreement or under any other agreement ” and inserting in their stead the words “ established under any agreement ”.
Duty of Commission in relation to financial arrangements in connexion with overseas telecommunication services.	<p>10. Section 36 of the Principal Act is repealed and the following section inserted in its stead:—</p> <p>“ 36. The Commission shall do all things necessary on its part to be done to give effect to any agreement entered into by the Commonwealth of Australia with respect to financial arrangements in connexion with overseas telecommunications services.”</p>

11. Section 48 of the Principal Act is amended by omitting the words “ of the agreement entered into in pursuance of clause six of the Agreement ” and inserting in their stead the words “ of any agreement entered into by the Commonwealth of Australia with respect to financial arrangements in connexion with overseas telecommunications services.”.

Application of
net profits.

12. Section 75 of the Principal Act is amended—

(a) by omitting sub-section (1.);

Alterations in
rates, services,
&c.

(b) by omitting from sub-section (2.) the words “ Without affecting the generality of the last preceding sub-section, the Commission shall consult the Commonwealth Telecommunications Board so established ” and inserting in their stead the words “ The Commission shall consult the body known as the Commonwealth Telecommunications Council ”; and

(c) by omitting paragraphs (c), (d) and (e) of sub-section (2.) and inserting in their stead the following paragraphs:—

“ (c) discontinuing any overseas telecommunications service;

(d) instituting any new overseas telecommunications service;

(e) making any substantial addition, extension or alteration to any portion of the telecommunications system operated by the Commission which forms, or might form, part of the Commonwealth network; ”.

13. The Schedules to the Principal Act are repealed.

Repeal of
Schedules.