



Australian Broadcasting Corporation (Transitional Provisions and Consequential Amendments) Act 1983

No. 7, 1983 as amended

Compilation start date: 17 October 2014

Includes amendments up to: Act No. 109, 2014

About this compilation

This compilation

This is a compilation of the *Australian Broadcasting Corporation (Transitional Provisions and Consequential Amendments) Act 1983* as in force on 17 October 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 3 November 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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An Act to enact certain transitional provisions and make certain amendments in consequence of the enactment of the *Australian Broadcasting Corporation Act 1983*

Part I—Preliminary

1 Short title

This Act may be cited as the *Australian Broadcasting Corporation (Transitional Provisions and Consequential Amendments) Act 1983*.

2 Commencement

- (1) Sections 1 and 2 and subsection 15(1) shall come into operation on the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act shall come into operation on the day fixed under subsection 2(2) of the *Australian Broadcasting Corporation Act 1983*.

Part II—Transitional Provisions

3 Interpretation

Expressions used in this Part have, unless the contrary intention appears, the same meanings as those expressions have in the *Australian Broadcasting Corporation Act 1983*.

4 Extension to external Territories

This Part extends to all the external Territories.

5 Application

This Part has effect notwithstanding anything contained in the *Australian Broadcasting Corporation Act 1983*.

6 Members of Commission cease to hold office

On the commencing day, the Chairman, the Vice-Chairman and the other Commissioners of the Australian Broadcasting Commission who held office immediately before that day cease to hold office, but the corporate identity of the body corporate referred to in subsection 5(1) of the *Australian Broadcasting Corporation Act 1983* is preserved.

7 References to Commission in instruments, &c.

A reference to the Australian Broadcasting Commission in any law of a Territory, or in any contract, award or other instrument to which the Australian Broadcasting Commission was a party, shall, except in relation to matters that occurred before the commencing day, be construed as a reference to the Australian Broadcasting Corporation.

8 Property, powers, liabilities, &c.

The alteration of the name and constitution of the Australian Broadcasting Commission resulting from section 5 of the *Australian Broadcasting Corporation Act 1983* does not affect any property, powers, rights, liabilities or obligations of the body corporate continued in existence by that section.

10 Judicial notice

All courts, judges and persons acting judicially shall take judicial notice of the imprint of the seal of the Australian Broadcasting Commission appearing on a document that was executed before the commencing day and shall presume that the document was duly sealed.

11 Officers and employees

Any person who was an officer (including an officer on probation) or a temporary employee of the Australian Broadcasting Commission immediately before the commencing day by virtue of his having been appointed or engaged under subsection 43(2) of the *Broadcasting and Television Act 1942* continues, subject to the *Australian Broadcasting Corporation Act 1983*, as an officer or temporary employee, as the case may be, of the Corporation as if he had been appointed or engaged under section 33 of that last-mentioned Act.

15 Application of moneys

- (1) The Australian Broadcasting Commission is liable to pay any remuneration and allowances that become payable under Part III of the *Australian Broadcasting Corporation Act 1983* before the commencing day and, notwithstanding section 70 of the *Broadcasting and Television Act 1942*, the moneys of the Commission may be applied in payment of any such remuneration or allowances.

Section 15

- (2) Notwithstanding section 68 of the *Australian Broadcasting Corporation Act 1983*, the moneys of the Corporation may be applied:
- (a) in payment or discharge of any expenses, charges, obligations or liabilities that were incurred or undertaken before the commencing day by the Australian Broadcasting Commission in or in connection with the performance of its functions or the exercise of its powers and were not paid or discharged before that day; and
 - (b) in payment of any remuneration or allowances the liability for which arose under Part III of the *Broadcasting and Television Act 1942* or under subsection (1) of this section but which had not been paid before the commencing day.

Part IV—Amendments of the Copyright Act 1968

60 Television broadcasts and sound broadcasts in which copyright subsists

- (2) The amendments made by former subsection (1) do not affect the continued subsistence of any copyright that, immediately before the commencement of this section, subsisted in a television broadcast or sound broadcast that had been made from a place in Australia by the Australian Broadcasting Commission before the commencement of this section.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnotes

Endnote 2—Abbreviation key

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ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Australian Broadcasting Corporation (Transitional Provisions and Consequential Amendments) Act 1983	7, 1983	1 June 1983	s 1, 2, 15(1) and 24: 1 June 1983 Remainder: 1 July 1983 (<i>Gazette</i> 1983, No. S124)	
Omnibus Repeal Day (Autumn 2014) Act 2014	109, 2014	16 Oct 2014	Sch 2 (items 166–174): 17 Oct 2014 (s(1) item 2)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Pt I	
s 2	am No 109, 2014
Pt II	
s 9	rep No 109, 2014
s 11	am No 109, 2014
s 12	rep No 109, 2014
s 13	rep No 109, 2014
s 14	rep No 109, 2014
s 16	rep No 109, 2014
s 17	rep No 109, 2014
s 18	rep No 109, 2014
s 19	rep No 109, 2014
Pt III	rep No 109, 2014
s 20	rep No 109, 2014
s 21	rep No 109, 2014
s 22	rep No 109, 2014
s 23	rep No 109, 2014
s 24	rep No 109, 2014
s 25	rep No 109, 2014
s 26	rep No 109, 2014
s 27	rep No 109, 2014
s 28	rep No 109, 2014
s 29	rep No 109, 2014
s 30	rep No 109, 2014
s 31	rep No 109, 2014
s 32	rep No 109, 2014
s 33	rep No 109, 2014
s 34	rep No 109, 2014
s 35	rep No 109, 2014

Endnote 4—Amendment history

Provision affected	How affected
s 36	rep No 109, 2014
s 37	rep No 109, 2014
s 38	rep No 109, 2014
s 39	rep No 109, 2014
s 40	rep No 109, 2014
s 41	rep No 109, 2014
s 42	rep No 109, 2014
s 43	rep No 109, 2014
s 44	rep No 109, 2014
s 45	rep No 109, 2014
s 46	rep No 109, 2014
s 47	rep No 109, 2014
s 48	rep No 109, 2014
s 49	rep No 109, 2014
s 50	rep No 109, 2014
s 51	rep No 109, 2014
s 52	rep No 109, 2014
s 53	rep No 109, 2014
s 54	rep No 109, 2014
s 55	rep No 109, 2014
s 56	rep No 109, 2014
s 57	rep No 109, 2014
Pt IV	
s 58	rep No 109, 2014
s 59	rep No 109, 2014
s 60	am No 109, 2014
s 61	rep No 109, 2014
s 62	rep No 109, 2014
s 63	rep No 109, 2014
s 64	rep No 109, 2014
Pt V	rep No 109, 2014
s 65	rep No 109, 2014

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
s 66	rep No 109, 2014
Pt VI	rep No 109, 2014
s 67	rep No 109, 2014
s 68	rep No 109, 2014
s 69	rep No 109, 2014
Pt VII	rep No 109, 2014
s 70	rep No 109, 2014
s 71	rep No 109, 2014

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]