



# Broadcasting and Television (Consequential Amendments) Act 1985

No. 67 of 1985

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**An Act to make certain amendments in consequence of the enactment of the *Broadcasting and Television Amendment Act 1985***

[Assented to 5 June 1985]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title**

1. This Act may be cited as the *Broadcasting and Television (Consequential Amendments) Act 1985*.

**Commencement**

2. This Act shall come into operation on 1 January 1986.

**Amendment of Acts**

3. The Acts specified in the Schedule are amended as set out in the Schedule.

**Transitional**

4. (1) Notwithstanding the amendments made by section 3, where an Act amended by that section would, but for the amendments, have applied to or in relation to an old system licence, the holder of an old system licence or a station operated under an old system licence, that Act continues so to apply.

(2) In this section, "old system licence" has the same meaning as in Part III of the *Broadcasting and Television Amendment Act 1985*.

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**SCHEDULE**

Section 3

AMENDMENT OF ACTS

***Australian Broadcasting Corporation Act 1983***

**Section 3 (definitions of "national broadcasting translator station licence" and "national television translator station licence")—**

Omit the definitions.

**Section 26—**

Omit "and Television".

**Section 73 (definition of "transmitting station")—**

- (a) Omit "national broadcasting translator station licence", substitute "re-broadcasting licence under the *Broadcasting Act 1942*".
- (b) Omit "national television translator station licence", substitute "re-broadcasting licence under the *Broadcasting Act 1942*".

**Sub-section 78 (3)—**

Omit "and Television".

**Section 79—**

Omit "and Television".

***Commonwealth Electoral Act 1918***

**Sub-section 287 (1) (definition of "broadcaster")—**

Omit the definition, substitute the following definition:

" 'broadcaster' means—

- (a) the Australian Broadcasting Corporation constituted under the *Australian Broadcasting Corporation Act 1983*;
- (b) the Special Broadcasting Service established by Part IIIA of the *Broadcasting Act 1942*; or
- (c) the holder of a licence within the meaning of the *Broadcasting Act 1942*, other than a re-broadcasting licence or a re-transmission licence within the meaning of that Act;".

**SCHEDULE—continued**

**Paragraph 310 (1) (a)—**

Omit “station from”, substitute “broadcasting service as part of”.

**Sub-section 310 (3)—**

Omit “and Television”.

**Sub-section 333 (1)—**

Omit “broadcast or televise or cause, permit or authorize to be broadcast or televised, from a broadcasting station or a television station”, substitute “broadcast, or cause, permit or authorize to be broadcast, as part of an authorized broadcasting service”.

**Sub-section 333 (2)—**

- (a) Omit “or televised”.
- (b) Omit “broadcasting station for broadcasting or to the television station for televising, as the case may be,” substitute “broadcaster”.

**Sub-section 333 (4)—**

Omit the sub-section, substitute the following sub-section:

“(4) In this section—

‘address’ does not include a post-office box;

‘authorized broadcasting service’ means a broadcasting service provided pursuant to the *Broadcasting Act 1942* or the *Australian Broadcasting Corporation Act 1983*;

‘broadcast’ includes televise.”.

***Copyright Act 1968***

**Sub-section 9 (2)—**

Omit the sub-section.

**Sub-section 10 (1) (definitions of “holder of a licence for a broadcasting station” and “holder of a licence for a television station”)—**

Omit the definitions, substitute the following definitions:

“‘holder of a licence for a broadcasting station’ means the holder of a subsisting radio licence under the *Broadcasting Act 1942*;

‘holder of a licence for a television station’ means the holder of a subsisting television licence under the *Broadcasting Act 1942*.”.

**Sub-section 10 (1) (definition of “the Special Broadcasting Service”)—**

Omit “and Television”.

**Sub-section 152 (9)—**

Omit the sub-section, substitute the following sub-section:

“(9) Where a broadcaster being the holder of a licence for a broadcasting station has, with the leave of the Australian Broadcasting Tribunal under section 123 of the *Broadcasting Act 1942*, adopted an accounting period ending on a day other than 30 June, the reference in sub-section (8) of this section to 30 June shall, in relation to that broadcaster, be read as a reference to that other day.”.

**SCHEDULE—continued**

***Parliamentary Proceedings Broadcasting Act 1946***

**Sub-section 3 (1) (definition of “national broadcasting station”)—**

Omit “*Broadcasting and Television Act 1942-1972*”, substitute “*Australian Broadcasting Corporation Act 1983*”.

**Sub-section 4 (1)—**

Omit “*Broadcasting and Television Act 1942-1972*”, substitute “*Broadcasting Act 1942*”.

**Sub-section 4 (2)—**

Omit “*Broadcasting and Television Act 1942-1973*”, substitute “*Broadcasting Act 1942*”.

**Section 16—**

Omit “*Broadcasting and Television Act 1942-1972*”, substitute “*Broadcasting Act 1942*”.

***Radiocommunications Act 1983***

**Sub-section 3 (1) (definition of “broadcasting station”)—**

Omit the definition, substitute the following definition:

“ ‘broadcasting station’ means a transmitter that is operating for the purpose of the transmission of radio programs to the general public as authorized by or under the *Broadcasting Act 1942* or the *Australian Broadcasting Corporation Act 1983*.”.

**Sub-section 3 (1) (definition of “television station”)—**

Omit the definition, substitute the following definition:

“ ‘television station’ means a transmitter that is operating for the purpose of the transmission of television programs to the general public as authorized by or under the *Broadcasting Act 1942* or the *Australian Broadcasting Corporation Act 1983*.”.

**Sub-section 21 (8)—**

Omit “and Television”.

**Sub-section 55 (2)—**

Omit “and Television”.

**Sub-section 89 (3)—**

Omit the sub-section, substitute the following sub-section:

“(3) In this section, ‘instrument relating to broadcasting or television’ means a technical condition within the meaning of Part IIB of the *Broadcasting Act 1942*, an order under section 125E of that Act, or a regulation under that Act.”.

**SCHEDULE—continued**

***Referendum (Machinery Provisions) Act 1984***

**Section 110 (definition of “broadcaster”)—**

Omit the definition, substitute the following definition:

“ ‘broadcaster’ means—

- (a) the Australian Broadcasting Corporation constituted under the *Australian Broadcasting Corporation Act 1983*;
- (b) the Special Broadcasting Service established by Part IIIA of the *Broadcasting Act 1942*; or
- (c) the holder of a licence within the meaning of the *Broadcasting Act 1942*, other than a re-broadcasting licence or a re-transmission licence within the meaning of that Act;”.

**Paragraph 111 (1) (a)—**

Omit “station from”, substitute “broadcasting service as part of”.

**Sub-section 111 (3)—**

Omit “and Television”.

***Sales Tax (Exemptions and Classifications) Act 1935***

**Item 45A of the Second Schedule—**

Omit “and Television”.

***Telecommunications Act 1975***

**Paragraph 94 (2) (e)—**

Omit “and Television”.

**Paragraph 94 (2) (f)—**

Omit the paragraph, substitute the following paragraph:

- “(f) by the holder of a licence under Part IIIB of the *Broadcasting Act 1942* (other than a re-transmission licence under that Act) in accordance with the technical conditions of the licence warrant;”.

[*Minister’s second reading speech made in  
House of Representatives on 15 May 1985  
Senate on 28 May 1985*]