



Television Licence Fees Amendment Act 1987

No. 14 of 1987

**An Act to amend the *Television Licence Fees Act 1964*, and
for related purposes**

[Assented to 18 May 1987]

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

Short title, &c.

1. (1) This Act may be cited as the *Television Licence Fees Amendment Act 1987*.

(2) The *Television Licence Fees Act 1964*¹ is in this Act referred to as the Principal Act.

Commencement

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

Interpretation

3. Section 4 of the Principal Act is amended—

(a) by omitting from sub-section (1) the definition of “gross earnings” and substituting the following definition:

“‘gross earnings’, in respect of a licence in respect of a period, means—

(a) in a case to which paragraph (b) does not apply—the gross earnings of the licensee during that period from the televising, pursuant to the licence, of advertisements or other matter and from the televising, pursuant to any MCS permit granted in respect of the licence, of advertisements or other matter; and

(b) in the case of a remote licence to which sub-section 81 (6) of the *Broadcasting Act 1942* applies—the aggregate amount of the gross earnings during that period from the televising, pursuant to the licence, of advertisements or other matter of all the persons who, at any time during that period, are co-owners of the licence;”;

(b) by omitting from sub-section (1) the definition of “photographic film”.

Licence fees

4. Section 5 of the Principal Act is amended—

(a) by omitting “There” and substituting “Subject to sub-section (2), there”; and

(b) by adding at the end the following sub-section:

“(2) The regulations may make provision for rebates of fees payable by licensees.”.

Amount of fees

5. Section 6 of the Principal Act is amended—

(a) by omitting from sub-section (2) “(including any period of renewal or further renewal of the licence)” and substituting “, or during the period of 24 months immediately following the end of the period of the licence,”; and

(b) by inserting after sub-section (4) the following sub-section:

“(4A) For the purposes of sub-section (2), the period of a licence shall be taken to include any period of renewal or further renewal of the licence.”.

6. After section 7 of the Principal Act the following section is inserted:

Regulations

“8. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters—

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed in carrying out or giving effect to this Act.”.

Amendments of *Television Stations Licence Fees Act 1964* as in force immediately before 1 January 1986 for the purposes of its continued application to old system licences

7. (1) For the purposes of the continued application, by virtue of section 11 of the *Television Stations Licence Fees Amendment Act 1985*, of the previous Licence Fees Act—

(a) section 4 of the previous Licence Fees Act is amended—

(i) by omitting from sub-section (1) the definition of “gross earnings” and substituting the following definition:

“‘gross earnings’, in relation to a commercial television station in respect of a period, means the gross earnings of the licensee of a station during the period from the televising from the station of advertisements or other matter;” and

(ii) by omitting from sub-section (1) the definition of “photographic film”; and

(b) section 6 of the previous Licence Fees Act is amended—

(i) by omitting from sub-section (2) “(including any period of renewal or further renewal of the licence)” and substituting “, or during the period of 24 months immediately following the end of the period of the licence,”; and

(ii) by inserting after sub-section (4) the following sub-section:

“(4A) For the purposes of sub-section (2), the period of a licence shall be taken to include any period of renewal or further renewal of the licence.”.

(2) In this section, “previous Licence Fees Act” means the *Television Stations Licence Fees Act 1964* as in force immediately before 1 January 1986.

Application

8. The amendments made by this Act apply in relation to every anniversary of the date of commencement of a licence, being an anniversary that occurs on or after the date of commencement of this Act.

NOTE

1. No. 118, 1964, as amended. For previous amendments, see No. 93, 1966; Nos. 37, 103 and 189, 1976; No. 96, 1977; No. 51, 1978; No. 169, 1981; No. 156, 1982; No. 59, 1983; and No. 69, 1985.

[*Minister's second reading speech made in—*

House of Representatives on 12 November 1986

Senate on 20 November 1986]