

**Australian Broadcasting Tribunal (Inquiries) Regulations (Amendment) 1991
No. 488**

EXPLANATORY STATEMENT

Statutory Rule 1991 No. 488

Issued by the Authority of the Minister for Transport and Communications

Broadcasting Act 1942

Australian Broadcasting Tribunal (Inquiries) Regulations (Amendment)

Subsection 134(2A) of the Broadcasting Act 1942 (the Act) provides that the Governor-General may make regulations which make provision for and in relation to inquiries, or any matter relating to inquiries by the Australian Broadcasting Tribunal (the Tribunal). The Tribunal must hold an inquiry when it proposes to exercise one of its substantive powers (subsection 17C(1) of the Act), which are listed in subsection 17A(2) of the Act and include the powers to grant and renew licences. An inquiry into the exercise of a substantive power must be conducted in accordance with the Regulations (subsection 17C(5) of the Act).

The amendment to the Australian Broadcasting Tribunal (Inquiries) Regulations (the Regulations) supplements amendments to the Act, contained in Broadcasting Amendment Bill (No 2) 1991. Together the amendments to the Act and this amendment to the Regulations are intended to expedite inquiries by the Tribunal into the grant of supplementary radio licences in regional areas.

The amendment to the Regulations allows the Tribunal a discretion to terminate an inquiry into the grant of a supplementary radio licence, provided that

the Tribunal does not have before it for inquiry any other applications for non-limited broadcasting licences with a proposed service area which overlaps the proposed service area of the supplementary licence; and

the Tribunal is satisfied, having regard to the application and any document lodged with the Tribunal in relation to the inquiry, that it is not necessary to make any further investigation into any matter relevant to the inquiry.