

**Political Broadcasts (Australian Capital Territory) Regulations 1992 No. 1**

**EXPLANATORY STATEMENT**

**STATUTORY RULES 1992 No. 1**

Issued by the Authority of the Minister for Transport and Communications

BROADCASTING ACT 1942

Political Broadcasts (Australian Capital Territory) Regulations

The Political Broadcasts and Political Disclosures Act 1991 amends the Broadcasting Act 1942 (the Act) to ban political advertising in the electronic media for elections and referendums (federal, state, territory and local government) with the exception of free time as prescribed and allocated by the Regulations. Under section 95H of the Act, regulations may be made which determine the amount of free time to be allocated at the next election. Section 134 of the Act provides that the Governor-General may make regulations for the purposes of the Act.

Regulation 1 cites the name of the Regulations. Regulation 2 provides that the regulations are to commence on the date on which Part 2 of the Political Broadcasts and Political Disclosures Act 1991 commences. Regulation 3 provides interpretation of terms in the Regulations.

Regulation 4 defines the prescribed period in relation to the next election as the period beginning 1 week before nominations for the election close to midnight on the Wednesday immediately before the election. Regulation 5 defines the prescribed minimum number of candidates for a party must run at the next election is 12 in order to qualify for free time.

Regulation 6 sets out the method for allocating free time to a represented party. Regulation 7 sets out the method for determining the total amount of free time that is available for the next election.

Regulation 8 defines how to make an application to the Broadcasting Tribunal (the Tribunal) for the grant of free time. Regulation 9 sets out the method for determining the total amount of free time that is available to parties to which regulation 6 does not apply or for independent candidates.

Regulation 10 specifies that the Tribunal must send a notice of its decision to the applicant. Regulation 11 sets out the method by which the Tribunal will create and allocate units of free time.

Regulation 12 sets out how broadcasters will be able to use units of free time. Regulation 13 sets out the minimum number of election broadcasts that a broadcaster is required to use. Regulation 14 sets out when a broadcaster is not required to make a unit of free time available. Regulation 15 provides that if a broadcaster is restricted by the Tribunal in relation to the amount of time for advertising then their allocation will be increased to the amount of free time they are required to allocate.