

EXPLANATORY STATEMENT

STATUTORY RULE 1984 NO. 84/2 ISSUED BY THE  
AUTHORITY OF THE MINISTER FOR COMMUNICATIONS

STATUTORY RULES 1984 No.104

Section 134(1) of the Broadcasting and Television Act 1942 (the Act) provides in part:

"The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act..."

Sub-paragraphs 133(1)(a)(iii) and (b)(ii) of the Broadcasting and Television Act 1942 provide that documents can be served or given to people or corporations, for the purposes of the Act, by whatever means are specified in regulations.

The proposed Regulation 5B stipulates conditions under which notices can be served or given by telegram, telex or facsimile transmission. Telegrams must be properly addressed and prepaid, and in the case of a corporation, sent to its registered office or principal office. In the case of a person, they must be sent to the home or business address last known to the sender. Telexes and facsimiles must be sent to the facility last known by the sender to be used for the receipt of such transmissions by the addressee. Unless there is evidence to the contrary, notice will be considered to have been given when the telegram or transmission is received at the address or facility.