

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 3 October 1984

(*Minister for Communications*)

A BILL

FOR

An Act to amend the *Television Stations Licence Fees Act 1964*

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

Short title, &c.

5 1. (1) This Act may be cited as the *Television Stations Licence Fees Amendment Act 1984*.

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

Commencement

10 2. This Act shall come into operation on the day on which it receives the Royal Assent.

Interpretation

3. Section 4 of the Principal Act is amended by omitting from sub-section (1) the definitions of "gross earnings" and "licence" and substituting the following definitions:

15 " 'gross earnings' in relation to a commercial television station or a supplementary television service, in respect of a period, means the gross earnings of the licensee of the station or service during that period in respect of the televisualing from the station or by the service of

advertisements or other matter, including the gross earnings of the licensee during that period in respect of the provision by it of, or otherwise in respect of, matter televised from the station or by the service but does not include earnings from the production and recording on photographic film, or the recording on photographic film, of matter consisting wholly of an advertisement;

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'licence' means a licence in respect of a commercial television station or a supplementary television service;"

Amount of fees

4. Section 6 of the Principal Act is amended—

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(a) by omitting from sub-section (2) "There is payable on each anniversary of the date of commencement of a licence" and substituting "Subject to sub-section (6), there is payable on each anniversary of the date of commencement of a licence in respect of a commercial television station"; and

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

"(6) Where, on an anniversary referred to in sub-section (2), the holder of the licence for the commercial television station concerned also holds a licence for a supplementary television service related to the first-mentioned licence, the preceding provisions of this section apply in relation to the licensee of that commercial television station as if each reference in those provisions to the gross earnings of that station during the year that ended on 30 June (or, in a case to which sub-section (3) applies, the day substituted for that 30 June) last preceding that anniversary were a reference to the sum of those gross earnings and the gross earnings (if any) of the supplementary television service during that year.

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"(7) In the application of sub-section (6) in relation to a licensee of a commercial television station that also holds a licence for a supplementary television service as a member of a consortium, the reference in that sub-section to the gross earnings of the supplementary television service shall be read as a reference to so much of those earnings as bears to the total amount of those earnings the same proportion as the amount of the profits arising out of the operation of the supplementary television service to which the licensee is entitled by virtue of its membership of the consortium bears to the total amount of the profits so arising."

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Repeal

5. Section 8 of the Principal Act is repealed.

NOTE

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