

1993

THE PARLIAMENT OF THE COMMONWEALTH
OF AUSTRALIA

SENATE

AUSTRALIAN BROADCASTING CORPORATION AMENDMENT

BILL 1992 [1993]

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments and new clause to be moved on behalf of the
Government

(Circulated by authority of the Minister for Transport and
Communications, Senator the Hon Bob Collins)



**AUSTRALIAN BROADCASTING CORPORATION AMENDMENT
BILL 1992 [1993]**

Amendments and new clause to be moved on behalf of the
Government

OUTLINE

These amendments to the Australian Broadcasting Corporation Amendment Bill 1993 will:

- . make a minor formal change to the Bill;
- . insert a new section which repeals section 82 of the *Australian Broadcasting Corporation Act 1983* (the ABC Act); and
- . make some consequential amendments following from the repeal of section 82.

Section 82 requires the appointment of Community Affairs Officers within the ABC to investigate complaints to the ABC about errors of fact in ABC programs and invasions of privacy by the ABC in the preparation or broadcast of programs. The provision is proposed for repeal consequential upon the introduction of new external complaints handling procedures for the ABC.

Schedule 2 of the *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992* amended the ABC Act to require the ABC to develop codes of practice in relation to its programming. Division 2 of Part 11 of the *Broadcasting Services Act 1992* empowers the Australian Broadcasting Authority (ABA) to investigate complaints in relation to the performance of the ABC against its codes of practice. The ABC Board has given an undertaking to the Minister for Transport and Communications that it will immediately amend its Codes of Practice to address the issues of errors of fact and invasion of privacy if the internal review mechanism in section 82 is repealed.

FINANCIAL IMPACT STATEMENT

The amendments are not expected to have a significant impact on Commonwealth or ABC expenditure or revenue.

NOTES ON AMENDMENTS

Amendment (1)

This is a formal amendment to the commencement provision of the Bill to ensure that the amendment in paragraph 3(c) of the Bill is technically correct in the event that the Bill is not passed by the Parliament until the Budget sittings.

Amendment (2)

This amendment inserts a new clause 15A in the Bill. The new clause would repeal section 82 of the ABC Act.

Amendment (3)

This amendment is consequential to the repeal of section 82 to be made by Amendment (3).

Subsections 11(3) and (4) of the ABC Act set out the functions of the ABC Advisory Council and State and Territory Advisory Councils. Those functions include advising on programming matters and recommendations in relation to appointment of Community Affairs Officers.

This amendment would, as a consequence of the repeal of section 82:

- . omit subsections 11(3) and (4); and
- . substitute new subsections which continue the role of the Advisory Councils in relation to programming matters but no longer refer to Community Affairs Officers.

Amendment (4)

This amendment inserts some minor amendments in Schedule 1 to the Bill consequential upon the repeal of section 82. In particular, paragraph 80(h) of the ABC Act would be omitted. That paragraph requires the ABC's annual report to include a summary of the activities of Community Affairs Officers.

