

1993

THE PARLIAMENT OF THE COMMONWEALTH
OF AUSTRALIA

HOUSE OF REPRESENTATIVES

BROADCASTING SERVICES AMENDMENT BILL 1993

EXPLANATORY MEMORANDUM

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

THIS EXPLANATORY MEMORANDUM TAKES ACCOUNT OF AMENDMENTS
MADE BY THE SENATE

BROADCASTING SERVICES AMENDMENT BILL 1993

OUTLINE

This Bill amends the *Broadcasting Services Act 1992* to defer the allocation of licences for subscription television broadcasting services which use MDS as their means of transmission or part of their means of transmission until services commence under one of the satellite subscription television broadcasting licences or 31 December 1994, whichever is earlier.

FINANCIAL IMPACT STATEMENT

The Bill is not expected to have a significant impact on Commonwealth expenditure or revenue.

NOTES ON CLAUSES

Clause 1 - Short title etc.

Clause 1(1) provides for the citation of the *Broadcasting Services Amendment Act (No. 2) 1993*.

Clause 1(2) provides that in the amending Act, the term 'Principal Act' means the *Broadcasting Services Act 1992*.

Clause 2 - Commencement

This clause provides that the amending Act commences on Royal Assent.

Clause 3 - Interpretation

This clause inserts in the Act definitions of terms used in the amendments.

Clause 4 - Transmission system standards

This clause amends subsection 94(3) of the Act to place a deadline of 1 March 1994 on the satellite licensees to reach agreement on a full digital transmission standard, to provide an impetus for the early introduction of nationally available satellite pay-TV services

**Claus 5 - Allocation of other subscription television
broadcasting licences**

This clause inserts new subsections 96(3A) and (3B) in the Broadcasting Services Act to ensure that a subscription television broadcasting licence cannot be allocated under section 96 for a service which uses MDS as a means of transmission until a satellite service commences, or before 31 December 1994, whichever occurs first.

**Clause 6 - Monitoring of cross-media ownership of licences
allocated under section 96**

This clause inserts a new section 96A in the Principal Act to require the ABA, in consultation with the Trade Practices Commission, to monitor cross-media ownership of licences allocated under section 96. If the ABA is concerned that the objects of the Act are being undermined, the ABA must report to the Minister and a copy of the report must be laid before each House of the Parliament.

Clause 7 - Matters to which conditions may relate

This clause amends subsection 100(4) of the Principal Act to provide that the Minister can direct the ABA to impose conditions on subscription television broadcasting licensees, and not just satellite licensees A, B and C, requiring them to develop Australian industry plans.

Clause 8 - Review of television industry

This clause omits section 215 and substitutes a new section 215 which has the effect of requiring an earlier review of the operation of the condition relating to Australian content on subscription television broadcasting licensees under section 102.



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