



ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p>2. Act to bind the Crown</p> <p>3. Interpretation</p> <p>4. Obligation to prepare for dissolution of Broadcasting Corporation</p> <p>5. Dissolution of Broadcasting Corporation</p> <p>6. Officers and employees</p> <p>7. Transfer of assets to State enterprises</p> <p>8. Issue of equity securities and debt securities</p> <p>9. Application of State-Owned Enterprises Act 1986</p> <p>10. Additional provisions relating to vesting of assets and liabilities of Broadcasting Corporation in the Crown</p> <p>11. Application of Goods and Services Tax Act 1985</p> <p>12. Final report of Broadcasting Corporation</p> <p>13. Final accounts of Broadcasting Corporation</p> <p>14. Amendments to principal Act</p> <p>15. Amendments to other Acts</p>	<p>16. Amendments to Broadcasting Regulations 1977</p> <p>17. Repeals</p> <p>18. Revocation</p> <p style="text-align: center;"><i>Transitional Provisions</i></p> <p>19. Transitional provision in relation to rules relating to programme standards</p> <p>20. Transitional provisions in relation to relay stations</p> <p>21. Transitional provisions in relation to public broadcasting fee</p> <p>22. Transitional provisions in relation to complaints made before 1 December 1988</p> <p>23. Transitional provisions in relation to complaints</p> <p>24. Transitional provision in relation to complaints referred to Tribunal</p> <p>25. Transitional provisions in relation to allegations and complaints made to Broadcasting Complaints Committee</p> <p>26. Transitional provisions in relation to Official Information Act 1982 Schedules</p>
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1988, No. 161

An Act—

- (a) To dissolve the Broadcasting Corporation of New Zealand; and**
- (b) To provide for the vesting in the Crown of the assets and liabilities of the Broadcasting Corporation of New Zealand; and**
- (c) To provide for the transfer from the Crown to Radio New Zealand Limited and Television New Zealand Limited of assets and liabilities vested in the Crown on the dissolution of the Broadcasting Corporation of New Zealand; and**
- (d) To enable the Secretary of Commerce to collect the public broadcasting fee in the period beginning**

with the date of the dissolution of the Broadcasting Corporation of New Zealand and ending with the close of the 30th day of June 1989; and

- (e) To amend the Broadcasting Act 1976, the Broadcasting Regulations 1977, and certain other Acts** *[29 November 1988]*

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Broadcasting Amendment Act (No. 2) 1988, and shall be read together with and deemed part of the Broadcasting Act 1976 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of December 1988.

2. Act to bind the Crown—This Act shall bind the Crown.

3. Interpretation—In this Act, unless the context otherwise requires,—

“Assets” has the meaning given to it by section 29 (1) of the State-Owned Enterprises Act 1986:

“Broadcasting Corporation” means the Broadcasting Corporation of New Zealand:

“Liabilities” has the meaning given to it by section 29 (1) of the State-Owned Enterprises Act 1986:

“Ministers” means the Minister of Finance and the Minister for State-Owned Enterprises:

“State enterprise” has the meaning given to it by section 2 of the State-Owned Enterprises Act 1986:

“Transfer” has the meaning given to it by section 29 (1) of the State-Owned Enterprises Act 1986.

4. Obligation to prepare for dissolution of Broadcasting Corporation—Having regard to the provisions of section 5 of this Act, the Broadcasting Corporation shall do all in its power to prepare for the dissolution of the Broadcasting Corporation and, in particular, for ensuring the recovery of debts due to the Broadcasting Corporation.

5. Dissolution of Broadcasting Corporation—Notwithstanding any provision of any enactment or rule of law, on the 1st day of December 1988—

- (a) The Broadcasting Corporation shall be dissolved and the term of office of every member of the Broadcasting Corporation shall cease:
- (b) All assets (including warrants and authorisations for the time being in force under the principal Act) and liabilities vested in the Broadcasting Corporation shall vest in the Crown:
- (c) All money payable to the Broadcasting Corporation shall become payable to the Crown:
- (d) All proceedings pending by or against the Broadcasting Corporation (including proceedings before the Tribunal) may be carried on, completed, or enforced by or against the Crown.

6. Officers and employees—Subject to this Act, but notwithstanding any provision of any other Act or rule of law,—

- (a) On the 1st day of December 1988 each officer or employee of the Broadcasting Corporation (including every person appointed under section 27 (3) or section 37 of the principal Act) shall become an officer or employee, as the case may be, of the Crown but, for the purposes of every enactment, law, award, determination, contract, and agreement relating to the employment of each such officer or employee, the contract of employment of that officer or employee shall be deemed to have been unbroken and the period of service with the Broadcasting Corporation shall be deemed to have been a period of service with the Crown; and
- (b) The terms and conditions of employment of each such officer or employee shall, until varied, be identical with the terms and conditions of that officer's or employee's employment with the Broadcasting Corporation immediately before the 1st day of December 1988 and be capable of variation in the same manner; and
- (c) No such officer or employee shall be entitled to receive any payment or other benefit by reason only of that officer, employee, or appointee ceasing by virtue of this Act to be an officer, employee, or appointee of the Broadcasting Corporation.

7. Transfer of assets to State enterprises—(1) The Ministers may, from time to time, prepare a list or lists specifying the assets and liabilities vested in the Crown by section 5 of this Act which in the opinion of the Ministers should be transferred under the State-Owned Enterprises Act 1986 to—

- (a) Radio New Zealand Limited; or
- (b) Television New Zealand Limited.

(2) Every list prepared under subsection (1) of this section shall—

- (a) Contain a description of each asset and liability, either individually or as a group or class; and
- (b) State the value attributed by the Ministers to each asset and liability, either individually or as a group or class; and
- (c) Be signed by the Ministers; and
- (d) Be laid before the House of Representatives by the Minister for State-Owned Enterprises within 12 sitting days after the date on which it is signed.

(3) The Governor-General may, at any time or times, by Order in Council, vest in Radio New Zealand Limited or Television New Zealand Limited or both on a date specified in the order, any assets or liabilities specified in a list prepared pursuant to subsection (1) of this section and referred to in the order.

8. Issue of equity securities and debt securities—

(1) Every Order in Council made under section 7 (3) of this Act shall specify—

- (a) The kind, number, nominal value, and terms of any—

- (i) Equity securities; and

- (ii) Debt securities—

- that shall be issued by Radio New Zealand Limited or Television New Zealand Limited consequent upon the transfer to it of the assets and liabilities specified in the order; and

- (b) The date on which the equity securities and debt securities shall be issued.

(2) On the date specified in each Order in Council pursuant to subsection (1) (b) of this section Radio New Zealand Limited or Television New Zealand Limited, as the case may require, shall issue to the Ministers in equal proportions—

- (a) Fully paid up equity securities of such kind, number, nominal value, and terms as are specified in the order:
- (b) Debt securities of such kind, number, nominal value, and terms as are specified in the order.
- (3) Nothing in subsections (1) (b) and (2) of section 60 of the Companies Act 1955 shall apply in respect of equity securities issued pursuant to subsection (2) of this section.

9. Application of State-Owned Enterprises Act 1986—

(1) The State-Owned Enterprises Act 1986 shall apply, with all necessary modifications, to each vesting of assets and liabilities that takes place by virtue of an Order in Council made under section 7 (3) of this Act and to each asset or liability so vested as if—

- (a) That vesting were the transferring of assets and liabilities pursuant to section 23 (1) of that Act; and
- (b) The terms and conditions under which the assets and liabilities were vested were agreed between the Ministers and the State enterprise in which they were vested.

(2) For the purposes of section 23 (2) and (5) (c) of the State-Owned Enterprises Act 1986, every Order in Council made under section 7 (3) of this Act shall be deemed to be a contract entered into pursuant to section 23 (1) of that Act.

10. Additional provisions relating to vesting of assets and liabilities of Broadcasting Corporation in the Crown—(1) Nothing effected or authorised by this Act—

- (a) Shall be regarded as placing the Crown, the Broadcasting Corporation, any State enterprise or any other person in breach of contract or confidence or as otherwise making any of them guilty of a civil wrong; or
- (b) Shall be regarded as giving rise to a right for any person to terminate or cancel any contract or arrangement or to accelerate the performance of any obligation; or
- (c) Shall be regarded as placing the Crown, the Broadcasting Corporation, any State enterprise, or any other person in breach of any enactment or rule of law or contractual provision prohibiting, restricting, or regulating the assignment or transfer of any property or the disclosure of any information; or
- (d) Shall release any surety from any obligation; or
- (e) Shall invalidate or discharge any contract or security.

(2) District Land Registrars are hereby authorised to make such entries in their respective registers and do everything necessary to give effect to the vesting of any land or any estate or interest in land under this Act.

(3) The provisions of this Act vesting any assets or liabilities in the Crown shall have effect notwithstanding any enactment, rule of law, or agreement, and, in particular, but without limitation, the provisions of this Act vesting any land in the Crown shall have effect notwithstanding any provision contained in the Land Act 1948, the Reserves Act 1977, or the Public Works Act 1981, or in any other Act relating to land.

(4) A certificate, signed by the Chief Surveyor for the land district in which the land is situated, that any land described in the certificate, or described in any document on which the certificate appears, is land to which subsection (3) of this section applies shall be sufficient evidence, in the absence of proof to the contrary, that that subsection applies to the land.

(5) Where by virtue of this Act any land vests in the Crown, the land shall vest in the Crown subject to all leases, agreements to lease, easements, and encumbrances existing in respect of any part of that land immediately before the land vests in the Crown but otherwise freed and discharged from all trusts and reservations affecting it.

11. Application of Goods and Services Tax Act 1985—For the purposes of the Goods and Services Tax Act 1985, every vesting of assets or liabilities pursuant to section 7 (3) of this Act, shall be deemed to be a transfer of a part of a taxable activity as a going concern that is capable of separate operation.

12. Final report of Broadcasting Corporation—(1) As soon as practicable after the 1st day of December 1988, the persons who were the members of the Broadcasting Corporation immediately before that day shall send to the Minister of Broadcasting a report of its operations (including a summary of the activities of each of the Services).

(2) The report shall be called the Final Report of the Broadcasting Corporation of New Zealand.

(3) A copy of the Final Report of the Broadcasting Corporation of New Zealand shall be laid before the House of Representatives by the Minister of Broadcasting as soon as practicable after its receipt by that Minister.

13. Final accounts of Broadcasting Corporation—(1) As soon as reasonably practicable after the 1st day of December 1988 the State Services Commission shall cause to be prepared final accounts of the Broadcasting Corporation as at the close of the 30th day of November 1988.

(2) A copy of the final accounts, together with a copy of the report of the Audit Office on those accounts, shall be sent by the State Services Commission to each of the Ministers.

(3) A copy of the final accounts, together with a copy of the report of the Audit Office on those accounts, shall be laid before the House of Representatives by the Minister for State-Owned Enterprises as soon as practicable after their receipt by that Minister.

14. Amendments to principal Act—The principal Act is amended as from the commencement of the 1st day of December 1988 in the manner indicated in the First Schedule to this Act.

15. Amendments to other Acts—The enactments specified in the Second Schedule to this Act are amended as from the commencement of the 1st day of December 1988 in the manner indicated in that Schedule.

16. Amendments to Broadcasting Regulations 1977—The Broadcasting Regulations 1977 are amended as from the commencement of the 1st day of December 1988 in the manner indicated in the Third Schedule to this Act.

17. Repeals—The enactments specified in the Fourth Schedule to this Act are hereby consequentially repealed as from the commencement of the 1st day of December 1988.

18. Revocation—The Broadcasting Regulations 1977, Amendment No. 2 are consequentially revoked as from the commencement of the 1st day of December 1988.

Transitional Provisions

19. Transitional provision in relation to rules relating to programme standards—All rules promulgated under section 26 of the principal Act and in force immediately before the 1st day of December 1988 shall continue in force until the close of the 31st day of March 1989.

20. Transitional provisions in relation to relay stations—(1) Every relay station operated by the Broadcasting Corporation immediately before the 1st day of December 1988 in respect of any television broadcasting station shall be deemed to be authorised by the warrant issued in respect of that television broadcasting station.

(2) Where any relay station operated by the Broadcasting Corporation immediately before the 1st day of December 1988 in respect of any broadcasting station has been established, installed, or erected on any road or street or on any reserve for road or street purposes, the Crown and Radio New Zealand Limited and Television New Zealand Limited shall, in altering, operating, and maintaining that relay station on or after that day, be subject to any conditions imposed under section 46 (aa) of the principal Act by the local authority in which the road or street or reserve or control thereof was vested.

21. Transitional provisions in relation to public broadcasting fee—During the period beginning on the 1st day of December 1988 and ending with the close of the 30th day of June 1989, the provisions specified in the Fifth Schedule to this Act (being provisions of the Broadcasting Act 1976 or of the Broadcasting Regulations 1977) shall have effect as stated in that Schedule.

22. Transitional provisions in relation to complaints made before 1 December 1988—(1) This section applies in relation to any formal complaint under section 95B (1) (a) of the principal Act which has been lodged in writing with the Secretary of the Broadcasting Corporation before the 1st day of December 1988 (other than a complaint that, before that day, has been referred to the Broadcasting Tribunal under section 95E of the principal Act).

(2) Where the Broadcasting Corporation has, in relation to a complaint to which this section applies, either not made a decision or not notified the complainant before the 1st day of December 1988 of its decision, that complaint shall (unless it is a complaint that could, before that day, have been referred to the Broadcasting Tribunal under section 95E of the principal Act) be deemed,—

- (a) In the case of a complaint in relation to a sound radio programme, to have been lodged in writing with Radio New Zealand Limited on that day; and

(b) In the case of a complaint in relation to a television programme, to have been lodged in writing with Television New Zealand Limited on that day.

(3) Where a complaint to which this section applies could, before the 1st day of December 1988, have been referred to the Broadcasting Tribunal under section 95E of the principal Act, the complainant may so refer that complaint within 15 working days after that day.

(4) It shall be the duty of each company to consider any formal complaint deemed by subsection (2) of this section to have been lodged with it and to deal with that complaint in accordance with section 95D of the principal Act.

(5) Subject to subsections (2) to (4) of this section, the principal Act shall apply, in relation to every complaint to which this section applies, with all necessary modifications and as if, in the case of a complaint in relation to a sound radio programme, Radio New Zealand Limited were the broadcasting body by which the programme was broadcast and as if, in the case of a complaint in relation to a television programme, Television New Zealand Limited were the broadcasting body by which the programme was broadcast.

23. Transitional provisions in relation to complaints—

(1) Every formal complaint in relation to a programme broadcast by the Broadcasting Corporation before the 1st day of December 1988 (being a complaint that could have been made under subsection (1) (a) of section 95B of the principal Act if that section were still in force) shall,—

(a) In the case of a complaint in relation to a sound radio programme, be lodged in writing with Radio New Zealand Limited; and

(b) In the case of a complaint in relation to a television programme, be lodged in writing with Television New Zealand Limited.

(2) It shall be the duty of each company to receive and consider any formal complaint lodged with it under subsection (1) of this section and to deal with that complaint in accordance with section 95D of the principal Act.

(3) The principal Act shall, with all necessary modifications, apply in relation to any complaint made under subsection (1) of this section as if it were a complaint under section 95B (1) (a) of that Act and as if, in the case of a complaint in relation to a sound radio programme, Radio New Zealand Limited were the broadcasting body by which the programme to which the

complaint relates was broadcast and as if, in the case of a complaint in relation to a television programme, Television New Zealand Limited were the broadcasting body by which the programme to which the complaint relates was broadcast.

24. Transitional provision in relation to complaints referred to Tribunal—(1) Where—

- (a) A complaint made before the 1st day of December 1988 under section 95B (1) (a) of the principal Act is before the Broadcasting Tribunal immediately before that day as a result of that complaint having been referred to the Broadcasting Tribunal under section 95E of the principal Act; or
- (b) A complaint made before the 1st day of December 1988 under section 95B (1) (a) of the principal Act is before the Broadcasting Tribunal as a result of that complaint having been referred to the Broadcasting Tribunal on or after that day under section 95E of the principal Act (as applied by section 22 (3) or section 22 (5) of this Act); or
- (c) A complaint to which section 23 of this Act applies is before the Broadcasting Tribunal as a result of that complaint having been referred to the Broadcasting Tribunal under section 95E of the principal Act (as applied by section 23 (3) of this Act),—

the principal Act shall apply in relation to that complaint with all necessary modifications and as if, in the case of a complaint in relation to a sound radio programme, Radio New Zealand Limited were the broadcasting body by which the programme was broadcast and, as if, in the case of a complaint in relation to a television programme, Television New Zealand Limited were the broadcasting body by which the programme was broadcast.

25. Transitional provisions in relation to allegations and complaints made to Broadcasting Complaints Committee—(1) Where allegations by any person of breaches by the Broadcasting Corporation of the conditions of warrants or authorisations—

- (a) Are before the Broadcasting Complaints Committee or the Broadcasting Tribunal immediately before the 1st day of December 1988; or
- (b) Are made to the Broadcasting Complaints Committee on or after the 1st day of December 1988,—

the principal Act shall apply in relation to those allegations with all necessary modifications and as if, in the case of allegations relating to breaches of the conditions of a warrant or authorisation in respect of a radio station, Radio New Zealand Limited were the broadcasting body alleged to have committed those breaches and as if, in the case of allegations relating to breaches of the conditions of a warrant or authorisation in respect of a television station, Television New Zealand Limited were the broadcasting body alleged to have committed those breaches.

(2) Where a formal complaint made for the purposes of section 95o(1)(b) of the principal Act (being a complaint relating to a programme broadcast by the Broadcasting Corporation)—

(a) Is before the Broadcasting Complaints Committee or the Broadcasting Tribunal immediately before the 1st day of December 1988; or

(b) Is made on or after the 1st day of December 1988,—
the principal Act shall apply in relation to that complaint with all necessary modifications and as if, in the case of a complaint in relation to a sound radio programme, Radio New Zealand Limited were the broadcasting body by which the programme was broadcast and as if, in the case of a complaint in relation to a television programme, Television New Zealand Limited were the broadcasting body by which the programme was broadcast.

26. Transitional provisions in relation to Official Information Act 1982—(1) Where a decision on a request made to the Broadcasting Corporation before the 1st day of December 1988 under the Official Information Act 1982 has not, before that day, been given or posted to the person who made the request, that request shall be deemed to have been made to the Minister of Broadcasting on that day and the provisions of that Act shall apply accordingly with all necessary modifications.

(2) Where, at the commencement of the 1st day of December 1988, an investigation and review—

(a) Under subsection (1) or subsection (2) of section 30 of the Official Information Act 1982 of a decision of the Broadcasting Corporation has not been completed; or

(b) Under the Ombudsmen Act 1975 of a decision of the Broadcasting Corporation under the Official Information Act 1982 has not been completed,—

that investigation and review may be continued and completed as if that decision were a decision of the Minister of Broadcasting; and the provisions of that Act shall apply accordingly with all necessary modifications.

SCHEDULES

FIRST SCHEDULE

Section 14

CONSEQUENTIAL AMENDMENTS TO PRINCIPAL ACT

Section Affected	Amendment
Section 2 (as amended by section 8 of the Broadcasting Amendment Act 1985)	<p>By omitting the definitions of the terms "Chief Executive", "Corporation", "Director-General", "Division", "General Manager Resource Services", "Member", "Radio New Zealand", "Secretary", "Service", "Television New Zealand", "Television One" or "TV1", and "Television Two" or "TV2".</p> <p>By omitting from the definition of the term "private broadcaster" the words "(other than the Corporation)".</p> <p>By omitting from the definition of the term "private broadcasting station", the words "other than the Corporation".</p>
Section 3 (as amended by section 3(4) of the Broadcasting Amendment Act 1979 and section 8 of the Broadcasting Amendment Act 1985)	<p>By omitting from subsection (1) the words "Corporation, each Service, the Tribunal, each officer appointed under section 37 of this Act", and substituting the word "Tribunal".</p> <p>By repealing paragraph (d) of subsection (1) (as substituted by section 3(4) of the Broadcasting Amendment Act 1979).</p> <p>By omitting from subsection (2) the words "Corporation or any Service or the Tribunal or any officer appointed under section 37 of this Act", and substituting the word "Tribunal".</p>
Parts I, II, III, IV, and V Sections 31 to 34 .. Sections 34A and 34B (as inserted by section 7 of the Broadcasting Amendment Act (No. 2) 1982)	<p>By repealing these Parts.</p> <p>By repealing these sections.</p> <p>By repealing these sections.</p>
Section 35	By repealing this section.
Section 36 (as amended by section 8 of the Broadcasting Amendment Act (No. 2) 1982)	<p>By omitting from subsection (1) the words "the Corporation and".</p> <p>By omitting from subsection (2), and also from subsection (3), the words "Corporation or".</p>
Parts VII and VIII ..	By repealing these Parts.
Sections 49 to 51 ..	By repealing these sections.
Sections 52 to 60 ..	By repealing these sections.
Section 70	By omitting from subsection (1) the words "(including the Corporation)".

FIRST SCHEDULE—*continued*CONSEQUENTIAL AMENDMENTS TO PRINCIPAL ACT—*continued*

Section Affected	Amendment
Section 70— <i>continued</i>	By omitting from subsection (3) (as amended by section 3(8) of the Broadcasting Amendment Act 1979) the words “other than for stations of Television New Zealand operated from time to time by the Corporation”.
Section 71A (as enacted by section 12(1) of the Broadcasting Amendment Act (No. 2) 1982)	By omitting from paragraph (e) of subsection (1) the words “(not being matters or conditions that conflict with provisions of this Act imposing duties or conferring powers on the Corporation)”.
Section 77	By repealing subsection (2).
Section 77	By omitting from subsection (1) the words “(including the Corporation)”.
Section 80	By repealing paragraph (c).
Section 83	By repealing subsection (5).
Section 94A (as inserted by section 10 of the Broadcasting Amendment Act 1982)	By repealing this section.
Section 95 (as substituted by section 19 of the Broadcasting Amendment Act (No. 2) 1982)	By repealing subsection (3).
Section 95B (as inserted by section 11 of the Broadcasting Amendment Act 1982)	By repealing this section.
Section 95Q (as inserted by section 11 of the Broadcasting Amendment Act 1982)	By omitting from subsection (2) the words “the Corporation or”.

FIRST SCHEDULE—*continued*CONSEQUENTIAL AMENDMENTS TO PRINCIPAL ACT—*continued*

Section Affected	Amendment
Section 95ZA (as inserted by section 11 of the Broadcasting Amendment Act 1982 and as amended by section 22 of the Broadcasting Amendment Act (No. 2) 1982)	By repealing paragraph (a) of subsection (1), and substituting the following paragraph: “(a) That— “(i) Any programme broadcast by a broadcasting station has infringed any of the provisions of section 95 (1) (other than paragraph (a) or paragraph (b) or paragraph (g)) or of section 95 (2) or of any rules made under section 26 of this Act, or that any intended broadcast that has been recorded or filmed will be in breach of any of those provisions; or “(ii) Any programme broadcast by a broadcasting station has infringed the provisions of section 95 (1) (g) of this Act or could give rise to a complaint under section 95o (1) (b) of this Act, or that any intended broadcast that has been recorded or filmed will be in breach of any of those provisions or could give rise to a complaint under section 95o (1) (b) of this Act; and”.
Section 98 (as amended by section 21 of the Broadcasting Amendment Act (No. 2) 1982)	By repealing paragraphs (a), (c), and (ib).
Sections 99 and 100	By repealing these sections.

Section 15

SECOND SCHEDULE
ENACTMENTS AMENDED

Title of Act	Amendment
1954, No. 46—The Defamation Act 1954 (R.S. Vol. 2, p. 307)	<p>By repealing the definition of the term “broadcasting station” in section 2 (1) (as substituted by section 101 (2) of the Broadcasting Act 1976), and substituting the following definition:</p> <p>“‘Broadcasting station’ means any broadcasting station operated pursuant to a warrant or authorisation for the time being in force under the Broadcasting Act 1976.”.</p>
1962, No. 33—The Copyright Act 1962 (R.S. Vol. 11, p. 1)	<p>By repealing the definition of the term “Broadcasting Corporation” in section 2 (1) (as substituted by section 101 (2) of the Broadcasting Act 1976), and substituting the following definition:</p> <p>“‘Broadcasting body’ means the holder of a warrant or authorisation for the time being in force under the Broadcasting Act 1976 in respect of a broadcasting station.”.</p> <p>By repealing subsection (1) of section 15 (as amended by section 101 (2) of the Broadcasting Act 1976), and substituting the following subsection:</p> <p>“(1) Copyright shall subsist, subject to the provisions of this Act, in every television broadcast and every sound broadcast made by any broadcasting station that is established and operated under the Broadcasting Act 1976.”</p> <p>By omitting from section 15 (2) (as amended by section 101 (2) of the Broadcasting Act 1976), the words “the Broadcasting Corporation”, and substituting the words “every broadcasting body”.</p> <p>By omitting from section 15 (5) (as amended by section 101 (2) of the Broadcasting Act 1976) the words “the Broadcasting Corporation”, and substituting the words “a broadcasting body”.</p> <p>By repealing subsection (8) of section 15 (as amended by section 101 (2) of the Broadcasting Act 1976).</p> <p>By omitting from section 16 (as amended by section 101 (2) of the Broadcasting Act 1976) the words “the Broadcasting Corporation” in both places where they</p>

SECOND SCHEDULE—*continued*
ENACTMENTS AMENDED—*continued*

Title of Act	Amendment
1962, No. 33—The Copyright Act 1962 (R.S. Vol. 11, p. 1)— <i>continued</i>	<p>appear, and substituting in each case the words “a broadcasting body”.</p> <p>By omitting from section 19 (10) (c) (ii) the words “or of the Broadcasting Corporation”.</p> <p>By omitting from section 41 (1) (a) (as amended by section 101 (2) of the Broadcasting Act 1976) the words “other than the Broadcasting Corporation”.</p> <p>By omitting from section 49 (1) (e) (as amended by section 101 (2) of the Broadcasting Act 1976) the words “by the Broadcasting Corporation”.</p> <p>By omitting from section 60 (1) (as amended by section 101 (2) of the Broadcasting Act 1976) the words “the Broadcasting Corporation”, and substituting the words “any broadcasting station that is established and operated under the Broadcasting Act 1976”.</p> <p>By repealing subsection (2) of section 60 (as amended by section 101 (2) of the Broadcasting Act 1976).</p>
1968, No. 147—The Local Authorities (Members’ Interests) Act 1968 (Reprinted 1974, Vol. 3, p. 2399)	By omitting from Part II of the First Schedule the item relating to the Broadcasting Corporation of New Zealand (as inserted by section 101 (2) of the Broadcasting Act 1976).
1974, No. 67—The Queen Elizabeth the Second Arts Council of New Zealand Act 1974	<p>By repealing paragraph (f) of section 3 (2) (as substituted by section 2 of the Queen Elizabeth the Second Arts Council of New Zealand Amendment Act 1980), and substituting the following paragraph:</p> <p>“(f) One person who shall be appointed by the Minister on the nomination of the Minister of Broadcasting.”</p>
1982, No. 156—The Official Information Act 1982	By omitting from the First Schedule (as substituted by section 23 (1) of the Official Information Amendment Act 1987) the item relating to the Broadcasting Corporation of New Zealand.

SECOND SCHEDULE—*continued*ENACTMENTS AMENDED—*continued*

Title of Act	Amendment
1983, No. 46—The Civil Defence Act 1983	By repealing paragraph (g) of the definition of the term “organisation” in section 2. By repealing paragraph (p) of section 19 (2).

Section 16

THIRD SCHEDULE

AMENDMENTS TO BROADCASTING REGULATIONS 1977

Title of Regulation	Amendment
Regulation 2 (1) ..	By revoking paragraph (a) of the definition of the term “financial year”. By omitting from the definition of the term “gross income” the words “(not being the Corporation)”.
Part I	By revoking paragraph (a) of the definition of the term “quarter”.
Regulation 7 ..	By revoking this Part.
Regulation 7A (as inserted by regulation 2 of the Broadcasting Regulations 1977, Amendment No. 5)	By omitting from subclause (3) the words “, the Corporation,”.
Regulation 10 ..	By omitting from subclause (2) the words “the Post Office, the Corporation, and”.
Regulation 10 ..	By revoking paragraph (c) of subclause (2), and substituting the following paragraph: “(c) In respect of any television station that is established and operated under the Act, an amount equal to 0.1 percent of the gross income of that station.”.
Regulation 12 ..	By revoking subclause (2).

FOURTH SCHEDULE

Section 17

REPEALS

- 1979, No. 49—The Broadcasting Amendment Act 1979: Sections 3 and 4. (R.S. Vol. 13, p. 88.)
- 1982, No. 6—The Broadcasting Amendment Act 1982: Sections 3, 4, 5, 6, and 10. (R.S. Vol. 13, p. 89.)
- 1982, No. 178—The Broadcasting Amendment Act (No. 2) 1982: Sections 4, 5, 6, 7, 11, and 18 (3). (R.S. Vol. 13, p. 92.)
- 1985, No. 61—The Broadcasting Amendment Act 1985: Sections 2, 3, 8, and the Schedule.
- 1985, No. 167—The Broadcasting Amendment Act (No. 2) 1985: Section 2.
- 1988, No. 25—The Broadcasting Amendment Act 1988.

FIFTH SCHEDULE

Section 21

TRANSITIONAL PROVISIONS

(Having effect in respect of the period beginning on 1 December 1988 and ending with the close of 30 June 1989)

1. Section 51A (1) of the Broadcasting Act 1976 (as enacted by section 32 (1) of the State-Owned Enterprises Act 1986) shall have effect as if for the words "For the purpose of providing funds to enable it to exercise its functions, powers, and duties under this Act, the Corporation", there were substituted the words "The Secretary of Commerce".

2. Section 51A (2) and (3) of the Broadcasting Act 1976 (as enacted by section 32 (1) of the State-Owned Enterprises Act 1986) shall have effect as if for the word "Corporation" in each place where it occurs, there were substituted in each case the words "Secretary of Commerce".

3. Regulations 28A to 28P of the Broadcasting Regulations 1977 (as inserted by regulation 2 of the Broadcasting Regulations 1977, Amendment No. 9) shall have effect as if for every reference therein to the Corporation, there were substituted a reference to the Secretary of Commerce.

This Act is administered in the Ministry of Commerce.
