

BROADCASTING AUTHORITY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Broadcasting Authority Act 1968.

Clause 1 relates to the Short Title.

Clause 2 provides that the Broadcasting Authority is not to consider any further applications for new broadcasting or television warrants. Existing warrants are not affected; nor is the power of the Authority to grant short-term authorisations under the 1971 Amendment Act.

Clause 3 makes consequential amendments to the principal Act.

Subclause (1): At present, section 9 (1) (a) of the principal Act makes it a function of the Authority to deal with applications for warrants to establish and operate broadcasting stations (which expression includes television stations), and with other applications relating to warrants. This subclause substitutes a new paragraph (a) limiting this function to dealing with renewals, transfers, and amendments of warrants, and with other applications under the Act as amended.

Subclause (2) is a consequential amendment.

Subclauses (3) and (4): Section 23 (1) of the principal Act gives a right of appeal against certain decisions of the Authority. *Subclause (3)* repeals paragraph (a), which at present gives an unsuccessful applicant for a warrant the right to appeal against the refusal of his application, and also paragraph (g), which gives a warrant-holder who objected to an application at the hearing a right to appeal against the granting of the application. Under *subclause (4)* these repeals will not affect any appeals already lodged but not determined before the passing of the Bill.

Hon. Mr Douglas

BROADCASTING AUTHORITY AMENDMENT

ANALYSIS

Title	2. Authority not to grant new warrants
1. Short Title	3. Consequential amendments

A BILL INTITULED

An Act to amend the Broadcasting Authority Act 1968

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

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- 1. Short Title**—This Act may be cited as the Broadcasting Authority Amendment Act 1973, and shall be read together with and deemed part of the Broadcasting Authority Act 1968* (hereinafter referred to as the principal Act).
- 10 **2. Authority not to grant new warrants**—(1) Notwithstanding anything in the principal Act, the Authority shall not hereafter consider any application for a new warrant under the principal Act, including any such application made but not determined before the passing of this Act.

*1968, No. 33
Amendment: 1971, No. 18

(2) Subsection (1) of this section shall not prevent the issue under section 29 of the principal Act of a new warrant in renewal of a warrant existing at the passing of this Act.

3. Consequential amendments—(1) Section 9 of the principal Act is hereby amended by repealing paragraph (a) of subsection (1), and substituting the following paragraph: 5
“(a) To consider and adjudicate upon applications for the renewal, transfer, or amendment of warrants, and other applications under this Act:”.

(2) The said section 9 is hereby further amended by 10 omitting from subsection (2) the word “granting”.

(3) Section 23 of the principal Act is hereby amended—

(a) By repealing paragraphs (a) and (g) of subsection (1):

(b) By omitting from subsection (1) the words “or the objector”. 15

(4) Subsection (3) of this section shall not affect any appeal that has been duly made but has not been determined before the passing of this Act.