

House of Representatives
Supplementary Order Paper

Wednesday, 23 February 2000

Broadcasting Amendment Bill (No 2)

Proposed amendments

Hon Marian Hobbs, in Committee, to move the following amendments:

Clause 1(2)

To omit from line 7 on page 1 the expression "**1 November 1998**", and substitute the expression "**1 July 2000**".

Clause 2

To add, after line 12 on page 1, the following subclause:

- (2) Section 2(1) of the principal Act is amended by repealing the definition of **Minister**, and substituting the following definition:

"**Minister** means, in relation to a Part of this Act, the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the Part".

Clause 3

To insert, after line 7 on page 2, the following subclause:

- (2) Section 21 of the principal Act is amended by adding the following subsection:

"(4) When performing its functions under **subsection (1)(e), (f), or (g)** in relation to a code of practice of the kind described in **subsection (1)(e)(vii)**, the Authority must consult with the Privacy Commissioner appointed under the Privacy Act 1993."

New clause 7A

To insert, after line 20 on page 3, the following clause:

7A Crown entity

Section 53Q(2) of the principal Act is amended by omitting the words "of Communications".

Explanatory note

This Supplementary Order Paper replaces the existing Supplementary Order Paper No 180.

That Supplementary Order Paper omitted the fixed commencement date for the Bill, as the date that had been fixed had passed. This new SOP now provides a specified commencement date for the Bill of **1 July 2000**.

The Broadcasting Act 1989 currently defines **Minister** as the Minister of Communications. This SOP substitutes a new definition, so that the Minister is now the Minister responsible for the relevant Part of the Broadcasting Act at the time. This changes the definition in accordance with current drafting practice and allows for different Ministers to be responsible for different Parts of the Act.

Clause 3 of the Bill enables the Broadcasting Standards Authority to draft, or encourage broadcasters to prepare, codes of practice on the privacy of the individual. This SOP reinstates *clause 3(2)*, which contains an obligation for the Broadcasting Standards Authority to consult with the Privacy Commissioner in carrying out this function.
