

STATUTES AMENDMENT BILL

Proposed Amendments

HON. J.K. McLAY, in Committee, to move the following amendments:

To add the following clauses:

Broadcasting

128. Sections to be read with Broadcasting Act 1976 - This section and the next succeeding section shall be read together with and deemed part of the Broadcasting Act 1976\* (in that section referred to as the principal Act).

\*1976, No. 132

Amendments: 1977, No. 45; 1977, No. 184;  
1979, No. 49

129. Regulations relating to FM broadcasting - The principal Act is hereby amended by inserting, after section 98, the following section:

"98A. (1) Regulations which are made under section 98 of this Act and which relate to the issue and control of sound-radio warrants in respect of frequency modulation broadcasting stations may contain provisions that, in relation to such stations, modify, or are to apply instead of, any of the provisions of sections 71 to 84 of this Act.

"(2) Without limiting the generality of subsection (1) of this section, it is hereby declared that regulations made under section 98 of this Act may -

"(a) Notwithstanding anything in section 71 of this Act, provide for a sound-radio warrant to be issued in respect of both an amplitude modulation broadcasting station and a frequency modulation broadcasting station:

"(b) Notwithstanding anything in sections 72 and 81 of this Act, provide for any sound-radio warrant issued in relation to -

"(i) A frequency modulation broadcasting station; or

"(ii) Both a frequency modulation broadcasting station and an amplitude modulation broadcasting station, -

to be issued for a period of less than 5 years or to be renewed for a period that is less than 5 years or is less than the period of the original term:

"(c) Where an applicant for a sound-radio warrant in respect of a commercial frequency modulation broadcasting station or in respect of both a commercial frequency modulation broadcasting station and a commercial amplitude modulation broadcasting station is the holder of a sound-radio warrant in respect of a commercial amplitude modulation broadcasting station, authorise or require the Tribunal to make it a condition of any warrant granted to the applicant as a result of the application that the applicant surrender, within such time as the regulations may specify or as the Tribunal may determine, -

"(i) A warrant held by the applicant in respect of a commercial amplitude modulation broadcasting station; or

"(ii) The warrant granted to the extent that that warrant authorises the operation of a commercial amplitude modulation broadcasting station.

"(3) For the avoidance of doubt it is hereby declared that this section shall have effect notwithstanding anything in section 83 (5) of this Act."

That clauses 128 and 129 be a separate Bill, and that for clause 126 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Broadcasting Act 1976

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

1. Short Title - This Act may be cited as the Broadcasting Amendment Act 1981, and shall be read together with and deemed part of the Broadcasting Act 1976 (hereinafter referred to as the principal Act).

#### EXPLANATORY NOTE

FOR the purpose of implementing recommendations made by the Broadcasting Tribunal and contained in its recent report on the development of FM broadcasting in New Zealand, this Bill authorises the making of regulations modifying, in relation to frequency modulation broadcasting stations, provisions of the Broadcasting Act 1976 which relate to the issue and control of sound-radio warrants.

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