

BROADCASTING AND TELEVISION.

No. 32 of 1961.

An Act relating to Licences in respect of Broadcast Receivers and Television Receivers let out on hire.

[Assented to 2nd June, 1961.]

[Date of commencement, 30th June, 1961.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Broadcasting and Television Act 1961*.

(2.) The *Broadcasting and Television Act 1960** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Broadcasting and Television Act 1960–1961*.

2. Section thirty-three of the Principal Act is amended by omitting section one hundred and twenty-six A set out in that section and inserting in its stead the following section:—

Hirer's
licences.

“ ‘ 126A.—(1.) A hirer's licence in respect of broadcast receivers or a hirer's licence in respect of television receivers, in accordance with a form determined by the Postmaster-General, may be granted, on behalf of the Postmaster-General, at such Post Offices or other places as the Postmaster-General determines, on payment of a fee determined in accordance with the regulations.

‘ (2.) A hirer's licence shall specify the number of receivers in respect of which the licence is granted.

‘ (3.) Where, at any time on or after the commencing date, a person who carries on a business that consists in whole or in part of letting out receivers on hire has any receivers let out on hire, that person is, except in such cases as are prescribed, guilty of an offence against this Act unless—

(a) he is the holder of an appropriate current hirer's licence, or appropriate current hirer's licences, granted in respect of a number of receivers not less than the number of receivers so let out on hire; and

(b) each receiver so let out on hire is marked in a prescribed manner with such particulars as are prescribed or there is attached, in a prescribed manner, to each such receiver an appropriate current hirer's licence granted in respect of one receiver only.

‘ (4.) Where—

- (a) a receiver is, on or after the commencing date, on hire from a person who carries on a business that consists in whole or in part of letting out receivers on hire; and
- (b) except where the hiring commenced before the commencing date, the receiver is marked in a prescribed manner with such particulars as are prescribed or an appropriate current hirer’s licence granted in respect of one receiver only is attached to the receiver in a prescribed manner,

the receiver shall, notwithstanding that a broadcast listener’s licence or a television viewer’s licence does not apply to the receiver, be deemed to be a receiver to which a broadcast listener’s licence in force under this Act or a television viewer’s licence in force under this Act, whichever is appropriate, applies.

‘ (5.) A hirer’s licence may be granted for any period not exceeding twelve months (being a period that may, in such cases as are prescribed, be a period commencing before the date on which the licence is granted), but may be renewed for successive periods not exceeding twelve months.

‘ (6.) A hirer’s licence—

- (a) shall specify the address at which the holder of the licence carries on the business in connexion with which the licence is to be used; and
- (b) is subject to such conditions as are prescribed.

‘ (7.) The holder of a hirer’s licence may, with the approval of an authorized officer, transfer the licence to another person.

‘ (8.) Where—

- (a) on the commencing date, a receiver is on hire under a hiring made before that date; and
- (b) on that date, a broadcast listener’s licence or a television viewer’s licence applies to the receiver,

this section does not apply to or in relation to the receiver until the licence ceases to apply to the receiver or the period of the licence expires, whichever first occurs.

‘ (9.) In this section—

- “ hire ” does not include hire under a hire-purchase agreement;
- “ receiver ” means a broadcast receiver or a television receiver;
- “ the commencing date ” means the fourteenth day after the date of commencement of this section.’”.

3. Section thirty-five of the Principal Act is amended by omitting from paragraphs (a) and (b) the words “ , a hirer’s licence ”. Licence fees.