

BROADCASTING AND TELEVISION.

No. 82 of 1963.

An Act to amend the *Broadcasting and Television Act* 1942–1962 in relation to Television Translator Stations.

[Assented to 31st October, 1963.]

[Date of commencement, 28th November, 1963.]

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

1.—(1.) This Act may be cited as the *Broadcasting and Television Act* 1963. Short title
and citation.

(2.) The *Broadcasting and Television Act* 1942–1962* 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* 1942–1963.

2. Section three of the Principal Act is amended by inserting after the words— Parts.

“Division 5.—Programmes (Sections 99–105A).”
the words—

“Division 5A.—Television Translator Stations (Sections 105B–105F).”

3. Section four of the Principal Act is amended— Interpretation.

(a) by adding at the end of the definition of “television station” in sub-section (1.) the words “, but does not include a television translator station”; and

(b) by inserting in sub-section (1.), after the definition of “television station”, the following definitions:—

“‘television translator station’ means a station for the transmission by means of wireless telegraphy of television programmes, being a station of low operating power and designed to receive and re-transmit signals from a television station, or from another television translator station, without substantially altering any characteristic of the signals other than their frequencies and amplitudes;

“‘television translator station licence’ means a licence for a television translator station;”

* Act No. 33, 1942, as amended by No. 39, 1946; No. 64, 1948; No. 80, 1950; No. 41, 1951; No. 12, 1953; No. 82, 1954; Nos. 33, 65 and 92, 1956; No. 36, 1960 (as amended by No. 32, 1961); and No. 96, 1962.

4. After Division 5 of Part IV. of the Principal Act the following Division is inserted:—

“ *Division 5A.—Television Translator Stations.*

Grant of
television
translator
station
licences.

“ 105B.—(1.) The Minister may, after receipt of a recommendation by the Board, grant to a person a licence for a television translator station upon such conditions, and in accordance with such form, as the Minister determines.

“ (2.) The Board shall not recommend that a licence be granted for a television translator station if, in the opinion of the Board, satisfactory reception of television programmes from a commercial television station is being obtained in the area in which the signals from that television translator station are designed to be satisfactorily received.

“ (3.) One of the conditions of the licence for a television translator station shall be that the station is operated only for the reception and re-transmission of the programmes of a specified commercial television station.

“ (4.) The establishment, erection, maintenance and use of a television translator station in pursuance of a licence under this section shall be deemed not to be a contravention of the *Wireless Telegraphy Act* 1905–1950 or of the regulations under that Act.

Duration of
licences.

“ 105C. Subject to this Act, a television translator station licence continues in force—

(a) in the case of a licence granted otherwise than by way of the renewal of a licence—for such period (not exceeding five years) as is specified in the licence; and

(b) in the case of a licence granted by way of the renewal of a licence—for a period of one year commencing on the day after the date of expiration of the last previous licence in respect of the station.

Revocation and
suspension of
licences.

“ 105D.—(1.) The Minister may, by notice in writing to the holder of a television translator station licence, suspend or revoke the licence where he is satisfied that either of the following grounds exists, namely:—

(a) that the holder has failed to comply with a provision of this Act or of the regulations in so far as that provision is applicable to the licence; or

(b) that a condition of the licence has not been complied with.

“ (2.) The suspension of a licence shall be for a specified period not exceeding seven days.

Transfer of
licences.

“ 105E. The holder of a television translator station licence may, with the consent in writing of the Minister, but without that consent shall not, transfer the licence.

Application of
this Act in
relation to
television
translator
stations.

“ 105F. The provisions of Division 4 of this Part and of sections one hundred and seven to one hundred and eleven (inclusive) of this Act apply in relation to a television translator

station and the holder of a television translator station licence as they apply in relation to a commercial television station and the holder of a licence for a commercial television station.”.

5. Section one hundred and twenty-nine of the Principal Act is amended by inserting in sub-section (2.), after the word “ includes ”, the words “ a television translator station licence,”.

Licences
subject to Act.

6. Section one hundred and thirty of the Principal Act is amended by inserting after the word “ licence ” (last occurring) the words “ (including a television translator station licence) ”.

Certain licences
not to be
issued under
Wireless
Telegraphy Act.

7. Section one hundred and thirty-two of the Principal Act is amended by inserting in sub-section (1A.), after the word “ includes ”, the words “ a television translator station licence,”.

Trial of
offences.

8. Section one hundred and thirty-four of the Principal Act is amended by omitting the words “ or television stations ” and inserting in their stead the words “ , television stations or television translator stations ”.

Regulations.
