

# BROADCASTING AND TELEVISION.

No. 67 of 1964.

An Act to amend the *Broadcasting and Television Act* 1942-1963 in relation to licences for Broadcast Receivers and Television Receivers.

[Assented to 30th September, 1964.]

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* 1964.

(2.) The *Broadcasting and Television Act* 1942-1963\* is in this Act referred as to the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Broadcasting and Television Act* 1942-1964.

Commence-  
ment.

2.—(1.) The last preceding section, this section and sub-sections (1.) and (2.) of section seven of this Act shall come into operation on the first day of October, One thousand nine hundred and sixty-four.

(2.) The remaining provisions of this Act shall come into operation on such later date as is fixed by Proclamation.

\* 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); No. 96, 1962; and No. 82, 1963.

3. Section four of the Principal Act is amended by inserting in sub-section (1.), after the definition of "member", the following definition:—

*Interpretation.*

“ ‘ member of his family ’, in relation to a person, means a person who is related by blood or marriage, or by reason of adoption, to that person; ”.

4. Section one hundred and twenty-five of the Principal Act is amended by omitting sub-section (10.).

*Broadcast listener's licence.*

5.—(1.) Section one hundred and twenty-six of the Principal Act is amended—

*Television viewers' licence.*

(a) by inserting after sub-section (1.) the following sub-sections:—

“ (1A.) Where a person applies for the grant, or for the renewal, of a television viewer's licence in respect of an address in Zone 1, the person may be required to furnish to an officer of the Postmaster-General's Department, before the licence or the renewal is granted, a statement in writing signed by him—

(a) that, to the best of his knowledge—

(i) neither he nor a member of his family has in his possession a broadcast receiver which is ordinarily kept at that address; and

(ii) no broadcast receiver is installed in any vehicle which is ordinarily in the possession of that person, or of a member of his family, and is ordinarily kept at that address while not in use; or

(b) that a member of his family is the holder of a broadcast listener's licence in force under this Act in respect of that address.

“ (1B.) For the purposes of such a statement, there shall be disregarded—

(a) any broadcast receiver which is on hire (otherwise than under a hire-purchase agreement) to the person making the statement or to a member of his family; and

(b) any broadcast receiver to which, under sub-section (2.) of section one hundred and twenty-six B of this Act, a current lodging house licence is required to be attached.

“(1C.) A person shall not make a false statement for the purposes of sub-section (1A.) of this section.

Penalty: Twenty-five pounds or imprisonment for six months.

“(1D.) An offence against the last preceding sub-section shall be prosecuted summarily.”; and

(b) by omitting sub-section (10.).

(2.) Sub-section (1A.) of section one hundred and twenty-six of the Principal Act as amended by this Act does not apply in relation to the grant or renewal of a television viewer's licence that is granted or renewed for a period commencing before the date on which the licence is granted or renewed and before the date of commencement of this section.

6.—(1.) After section one hundred and twenty-six of the Principal Act the following section is inserted:—

Combined  
receiving  
licence.

“126AA.—(1.) A combined receiving licence in accordance with a form determined by the Postmaster-General may be granted in respect of an address in Zone 1, on behalf of the Postmaster-General, at such Post Offices as the Postmaster-General determines, on payment of the prescribed fee.

“(2.) A combined receiving licence shall be granted for a period of twelve months (which 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 of twelve months.

“(3.) A combined receiving licence is subject to such conditions as are prescribed.

“(4.) The address specified in a combined receiving licence may be altered, or shall be deemed to be altered, as prescribed.

“(5.) During the currency of a combined receiving licence, the licence applies to any broadcast receiver, and to any television receiver, which is—

- (a) in the possession of the holder of the licence, or of a member of his family, at the address specified in the licence;
- (b) in the possession of that holder, or of a member of his family, being a receiver which is ordinarily kept at that address; or
- (c) installed in a vehicle which is ordinarily in the possession of that holder, or of a member of his family, and is ordinarily kept at that address while not in use.

“(6.) A broadcast receiver to which a combined receiving licence in force under this Act applies shall, for the purposes of sub-sections (6.), (7.) and (8.) of section one hundred and twenty-five of this Act, be deemed to be a broadcast receiver to which a broadcast listener’s licence in force under this Act applies.

“(7.) A television receiver to which a combined receiving licence in force under this Act applies shall, for the purposes of sub-sections (6.), (7.) and (8.) of the last preceding section, be deemed to be a television receiver to which a television viewer’s licence in force under this Act applies.”.

(2.) If, on the date of commencement of this section—

- (a) a person is the holder of both a broadcast listener’s licence and a television viewer’s licence;
- (b) a person is the holder of a broadcast listener’s licence and a member of his family is the holder of a television viewer’s licence; or
- (c) a person is the holder of a television viewer’s licence and a member of his family is the holder of a broadcast listener’s licence,

and the same address is specified in both licences, a combined receiving licence shall not be granted in respect of that address to that person or a member of his family for a period that commences earlier than the end of the period for which the television viewer’s licence was granted.

(3.) For the purposes of the last preceding sub-section, a person may be regarded as the holder of a broadcast listener’s licence or a television viewer’s licence on the date of commencement of this section if, after that date, he is granted such a licence for a period that commences before that date.

7.—(1.) Section one hundred and twenty-eight of the Principal Act is amended— Licence fees.

- (a) by inserting in sub-section (1.), after the words “lodging house licence”, the words “in respect of a broadcast receiver”;
- (b) by omitting sub-section (1A.) and inserting in its stead the following sub-section:—
 

“(1A.) Subject to this section, the fee payable for a television viewer’s licence, a lodging house licence in respect of a television receiver or a renewal of any such licence is Six pounds.”; and
- (c) by omitting from sub-section (3A.) the words “one-quarter of the fee otherwise payable” and inserting in their stead the words “a fee of One pound ten shillings”.

(2.) Where, on or after the date of commencement of the last preceding sub-section, a television viewer's licence is granted or renewed for a period commencing before that date, the fee payable for the grant or renewal of the licence is the fee that would have been so payable if the licence had been granted or renewed on the date of the commencement of the period for which it is granted.

(3.) Section one hundred and twenty-eight of the Principal Act is amended—

(a) by omitting sub-sections (1B.) and (1C.) and inserting in their stead the following sub-sections:—

“(1B.) Subject to this section, the fee payable for a combined receiving licence or a renewal of any such licence is Eight pounds ten shillings.

“(1C.) Where—

- (a) a combined receiving licence is granted to a person;
- (b) the person or a member of his family is the holder of a broadcast listener's licence or a television viewer's licence in respect of the address specified in the combined receiving licence granted for a period that ends after the commencement of the period for which the combined receiving licence is granted; and
- (c) the person surrenders the other licence to an officer of the Postmaster-General's Department and, where a member of his family is the holder of the other licence, that member of his family consents in writing to the surrender,

the fee payable under the last preceding sub-section for the combined receiving licence shall be reduced by an amount that bears to the fee paid for the other licence the same proportion as the number of months (treating a part of a month as a month) in the unexpired period of the other licence, calculated as from the commencement of the period for which the combined receiving licence is granted, bears to twelve.

“(1D.) Where a broadcast listener's licence or a television viewer's licence is surrendered under the last preceding sub-section on the grant of a combined receiving licence—

- (a) the broadcast listener's licence or the television viewer's licence, as the case may be, ceases

to have effect as from the commencement of the period for which the combined receiving licence is granted; and

- (b) there shall be endorsed on the combined receiving licence a statement that the broadcast listener's licence or the television viewer's licence, as the case may be, was so surrendered.”;
- (b) by omitting from sub-section (2.) the words “ or a television viewer's licence ” and inserting in their stead the words “, a television viewer's licence or a combined receiving licence ”; and
- (c) by inserting after sub-section (3A.) the following sub-section:—
- “ (3B.) A combined receiving licence, or a renewal of such a licence, may be granted, on payment of a fee of Two pounds, to a pensioner referred to in sub-section (3.) of this section.”.

**8.** Section one hundred and twenty-nine of the Principal Act is amended by inserting in sub-section (2.), after the words “ television viewer's licence,”, the words “ a combined receiving licence,”. Licences  
subject to  
Act.

**9.** Section one hundred and thirty-two of the Principal Act is amended— Trial of  
offences.

- (a) by inserting in sub-section (1A.), after the words “ television viewer's licence,”, the words “ a combined receiving licence,”; and
- (b) by inserting in sub-section (2.), after the word “ may ”, the words “, unless the contrary intention appears,”.

**10.** Section one hundred and thirty-three of the Principal Act is amended— Evidence.

- (a) by inserting in paragraph (a), after the word “ licence ”, the words “ or a combined receiving licence ”; and
- (b) by inserting in paragraph (b), after the word “ licence ”, the words “ or a combined receiving licence ”.
-