

TELEVISION STATIONS LICENCE FEES.

No. 118 of 1964.

An Act to provide for the payment of Fees in respect of Licences for Commercial Television Stations.

[Assented to 24th November, 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:—

1. This Act may be cited as the *Television Stations Licence Fees Act 1964*. Short title.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

Incorporation
of Broadcasting
and Television
Act.

3. The *Broadcasting and Television Act* 1942-1964 is incorporated and shall be read as one with this Act.

Interpretation.

4.—(1.) In this Act—

“gross earnings”, in relation to a commercial television station in respect of a period, means the gross earnings of the licensee of the station during that period in respect of the televising from the station of advertisements or other matter, including the gross earnings of the licensee during that period in respect of the provision by him of, or otherwise in respect of, matter televised from the station, not being earnings from the production and recording on photographic film, or the recording on photographic film, of matter consisting wholly of an advertisement;

“licence” means a licence in respect of a commercial television station;

“photographic film” includes a sound recording for use in conjunction with any such film, but does not include magnetic tape except magnetic tape which consists of any such sound recording.

(2.) Where, in connexion with any transaction, any consideration is paid or given otherwise than in cash, the money value of that consideration shall, for the purposes of this Act, be deemed to have been paid or given.

Licence fees.

5. There is payable to the Commonwealth by the licensee of a commercial television station, in respect of his licence, fees in accordance with the next succeeding section.

Amount of
fees.

6.—(1.) There is payable on the grant of a licence, not being a grant by way of the renewal of a licence, a fee of One hundred pounds.

(2.) There is payable on each anniversary of the date of commencement of a licence that occurs during the period of the licence, and on the grant of a licence that is by way of renewal of a licence, a fee of One hundred pounds together with—

(a) an amount equal to one per centum of such part of the gross earnings of the station to which the licence relates during the year ended on the thirtieth day of June last preceding that anniversary or last preceding the commencement of the period for which the licence is renewed, as the case may be, as does not exceed Five hundred thousand pounds;

(b) an amount equal to two per centum of such part of those gross earnings as exceeds Five hundred thousand pounds but does not exceed One million pounds;

- (c) an amount equal to three per centum of such part of those gross earnings as exceeds One million pounds but does not exceed Two million pounds; and
- (d) an amount equal to four per centum of such part of those gross earnings as exceeds Two million pounds.

(3.) Where the licensee of a commercial television station has, with the leave of the Australian Broadcasting Control Board under section one hundred and six of the *Broadcasting and Television Act 1942-1964*, adopted an accounting period ending on a day other than the thirtieth day of June, the reference in the last preceding sub-section to the thirtieth day of June shall, in relation to that station, be read as a reference to that other day.

(4.) A reference in sub-section (2.) of this section to a licence shall be read as including a reference to a licence granted before the commencement of this Act.

7. Where the Minister is of the opinion that—

- (a) an amount, or part of an amount, earned during any period by a person other than the licensee of a commercial television station would, if the licensee and that person were the same person, form part of the gross earnings of the station in respect of that period for the purposes of this Act; and
- (b) a relationship exists between the licensee and the other person (whether by reason of any shareholding or of any agreement or arrangement, or for any other reason) of such a kind that the amount or the part of the amount, as the case may be, should, for the purposes of this Act, be treated as part of the gross earnings of the station in respect of that period,

the Minister may direct that the amount or the part of the amount, as the case may be, shall be so treated.

Earnings of
subsidiary
companies,
&c.
