Purpose

To amend the Television Stations Licence Fees Act 1964 (the Principal Act) to enable fees to be payable on television services, rather than on the television stations themselves, as is currently the practice.

Background

The core piece of legislation regarding the regulation of the radio and television industry is the Broadcasting and Television Act 1942 (BTA). Amendments to the BTA have created the need to amend the Principal Act in relation to fees payable to the Commonwealth by those within the industry.

The BTA currently licenses and regulates various classes of radio and television stations. These stations are defined and licensed by reference to their technical characteristics.

The BTA Amendment Bill 1985 (BTA Bill) aims to license services rather than the stations which produce them.

For a comprehensive background on the reasons for and the implications of this legislative change see the Bills Digest on the Broadcasting and Television Amendment Bill 1985.

Main Provisions

A detailed analysis of the provisions of the Bill is contained in the Explanatory Memorandum.

Clause 2 of the original Bill was amended in the House of Representatives so that the Bill will come into operation on 1 January 1986.
The title of the Principal Act will be changed to "An Act to provide for the payment of fees in respect of certain television licences" (clause 3).

Under section 6 of the Principal Act, a percentage of the gross earnings of a television station is payable to the Commonwealth. The Bill substitutes a new definition of "gross earnings" which includes, inter alia, earnings derived pursuant to the licence of advertisements or other matters, or a matter televised pursuant to a licence. "Gross earnings" are specifically and separately defined, in the case of a remote television licence or a supplementary television licence (clause 6).

The Bill also proposes a new definition of "licence" which includes a commercial television licence, a remote licence and a supplementary licence (clause 6).

The fee payable on the grant of a licence is by way of tax (clause 7).

The predominant type of amendment made by the Bill to several sections of the Principal Act is to repeal references to "stations" and to substitute "licence", as fees will now be payable on the latter.

For further information, if required, contact:

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Education and Welfare Group
LEGISLATIVE RESEARCH SERVICE

References