

TELEVISION.

No. 6 of 1953.

An Act relating to the provision of Television Services, and matters incidental thereto.

[Assented to 20th March, 1953.]

[Date of commencement, 17th April, 1953.]

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 Act 1953*. **Short title.**

2. In this Act, unless the contrary intention appears— **Definitions.**

"authorized authority" means an authority of the Commonwealth that is empowered to provide television programmes or the Commission;

"commercial television station" means a television station other than a television station that is made available by the Postmaster-General "for the transmission of television programmes provided by an authorized authority;

"television station" means a station for the transmission of transient images and associated sound intended for reception by the general public;

"the Board" means the Australian Broadcasting Control Board constituted under the Broadcasting Act;

"the Broadcasting Act" means the *Broadcasting Act* 1942-1951;

"the Commission" means the Australian Broadcasting Commission constituted under the Broadcasting Act.

Postmaster-General may make television stations available to an authorized authority.
Licences for commercial television stations.

3. The Postmaster-General may make television stations available for the transmission of television programmes provided by an authorized authority.

4.—(1.) The Minister may, subject to the regulations and any determination made by the Board under section six K of the Broadcasting Act, grant to a person a licence for a commercial television station upon such conditions, and in such form, as the Minister determines.

(2.) Before exercising the power conferred on him by this section, the Minister shall take into consideration any recommendations that have been made by the Board as to the exercise of that power.

National television programmes.

5. The Minister may direct an authorized authority to provide television programmes for transmission from a television station that is made available by the Postmaster-General under section three of this Act and that authority shall, subject to this Act and any directions of the Minister, provide adequate and comprehensive programmes for transmission from that station.

Powers of Commission.

6. Where the Minister, under the last preceding section, directs the Commission to provide television programmes, the Commission has such powers as are necessary or convenient for the purpose of enabling the Commission to comply with that section and, without limiting the generality of those powers, the Commission may—

(a) for that purpose and with the approval in writing of the Minister, acquire, dispose of or otherwise deal with any land, buildings, easements or other property, rights or privileges; and

(b) subject to sub-section (3.) of section twenty-eight of the Broadcasting Act, defray the costs, charges and expenses incurred by the Commission in complying with the last preceding section out of moneys standing to the credit of the account or accounts opened and maintained by the Commission under the Broadcasting Act.

Establishment, &c., of licensed commercial television stations not a contravention of Wireless Telegraphy Act.
Licences subject to Act and regulations.

7. The establishment, erection, maintenance or use of a commercial television station in pursuance of a licence granted under this Act shall be deemed not to be in contravention of the *Wireless Telegraphy Act* 1905-1950 or of the regulations made under that Act.

8. A licence granted under this Act is subject to the provisions of this Act and the regulations so far as those provisions are applicable to the licence, and those provisions shall be deemed to be incorporated in the licence as terms and conditions of the licence.

9. A person who contravenes or fails to comply with any provision of this Act or the regulations, or with a condition of a licence granted under this Act, is guilty of an offence against this Act punishable upon conviction by such penalty as is prescribed. **Offences.**

10. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and, in particular, for prescribing the fees payable in respect of the grant of licences under this Act. **Regulations.**