

AUSTRALIAN FILM AND TELEVISION SCHOOL AMENDMENT ACT 1976

No. 110 of 1976

An Act to amend the *Film and Television School Act 1973*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:—

1. (1) This Act may be cited as the *Australian Film and Television School Amendment Act 1976*.¹ Short title,
&c.

(2) The *Film and Television School Act 1973*² is in this Act referred to as the Principal Act.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commence-
ment.

3. Section 3 of the Principal Act is amended—

Definitions.

(a) by inserting after the definition of “appointed” the following definition:—

“ ‘broadcast’ means to transmit by way of television or radio, and ‘broadcasting’ has a corresponding meaning;”

(b) by omitting the definition of “film”; and

(c) by omitting the definition of “member of the staff of the School” and substituting the following definitions:—

“ ‘member of the staff of the School’ means, except in section 21, a person who is employed on a full-time basis under section 34, being a person who has been so employed, or whose term of employment is for a period of 12 months or more;

‘program’ means—

(a) an aggregate of images or sounds, or of images and sounds, embodied in any material; or

(b) an aggregate of images or sounds, or of images and sounds, that is, or is intended to be, broadcast without first having been embodied in any material;”

4. Section 4 of the Principal Act is amended by inserting in subsection (1), before the word “Film”, the word “Australian”. Establish-
ment of
School.

Functions of
School.

5. Section 5 of the Principal Act is amended—

- (a) by omitting the words “films and television” (wherever occurring); and
- (b) by omitting from paragraph (c) of sub-section (1) the words “films or television”.

6. Section 12 of the Principal Act is repealed and the following section substituted:—

Delegation
by Council.

“12. (1) Subject to any direction of the Minister, the Council may, by resolution, either generally or as otherwise provided by the resolution, delegate to a member of the Council, a committee of the Council or a member of the staff of the School any of its powers under this Act, other than this power of delegation.

“(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Council.

“(3) A delegation of a power under this section—

- (a) may be revoked by resolution of the Council (whether or not constituted by the persons constituting the Council at the time the power was delegated);
- (b) does not prevent the exercise of the power by the Council; and
- (c) continues in force notwithstanding a change in the membership of the Council.

“(4) Section 34A of the *Acts Interpretation Act 1901* applies in relation to a delegation under this section as if the Council were a person.

“(5) A certificate signed by the Chairman of the Council stating any matter with respect to a delegation of a power under this section is *prima facie* evidence of that matter.

“(6) A document purporting to be a certificate mentioned in sub-section (5) shall, unless the contrary is established, be deemed to be such a certificate and to have been duly given.”.

Constitution
of
Convocation.

7. Section 21 of the Principal Act is amended—

- (a) by omitting from paragraph (d) of sub-section (1) the words “, diplomas or certificates” and substituting the words “or diplomas”; and
- (b) by inserting after sub-section (1) the following sub-section:—

“(1A) A reference in sub-section (1) to a member of the staff of the school is a reference to a member of the academic or technical staff of the School engaged in, or directly or indirectly associated with, teaching at the School.”.

8. The Principal Act is amended as set out in the Schedule. Minor amendments.

9. The alteration of names effected by sections 4 and 8 does not affect the identity of the corporation established by section 4 of the Principal Act or of the council referred to in section 7 of that Act. Transitional.

SCHEDULE Section 8
MINOR AND CONSEQUENTIAL AMENDMENTS

Provision	Amendment
Section 1	Before " <i>Film</i> ", insert " <i>Australian</i> ".
Section 3 (definitions of "Council" and "School")	Before "Film", insert "Australian".
Heading to Part II	Before "FILM", insert "AUSTRALIAN".
Sub-section 7 (1)	Before "Film", insert "Australian".
Sub-section 29 (3)	Omit the sub-section.
Sub-section 31 (6)	Omit the sub-section.
Section 33	Repeal the section.
Paragraph 46 (1) (a)	Omit the paragraph.
Sub-section 46 (2)	Omit the sub-section.

NOTES

1. Act No. 110, 1976; assented to 29 October 1976.
2. Act No. 95, 1973, as amended. For previous amendments *see* Act No. 216, 1973 (as amended by No. 20, 1974).