

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

(As read a first time)

ABC/SBS AMALGAMATION BILL 1986

TABLE OF PROVISIONS

PART I—PRELIMINARY

Clause

1. Short title
2. Commencement

**PART II—AMENDMENTS OF THE AUSTRALIAN BROADCASTING
CORPORATION ACT 1983**

3. Principal Act
4. Charter of the Corporation
5. Advisory Councils and committees
6. Membership of Board
7. Tenure of Managing Director
8. Staff-elected Director
9. Acting Chairman
10. Meetings of the Board
11. Repeal of section 26 and substitution of new section—
 26. Corporation to have regard to services provided by certain holders of public radio licences or public television licences
12. News services
13. Limitation on contracts and lease-back arrangements
14. Transfer of assets
15. Matters to be included in annual report

PART III—AMENDMENTS OF ACTS

16. Amendments of Acts

TABLE OF PROVISIONS—*continued*

Clause

PART IV—TRANSFER OF ASSETS AND LIABILITIES AND STAFFING
AND TRANSITIONAL PROVISIONS

- 17. Interpretation
- 18. Transfer of assets and liabilities
- 19. Contracts, & c.
- 20. Proceedings
- 21. Exemption from taxation
- 22. Service to continue in existence for certain purposes
- 23. Corporation to employ members of staff of Service
- 24. Terms and conditions of service of persons who become officers or employees of Corporation
- 25. Certain persons to retain recreation and sick leave credits
- 26. Probation
- 27. Leave of absence deemed to have been granted
- 28. Discipline
- 29. Members of Board
- 30. Effect of Appropriation Acts

SCHEDULE

1985-86

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 12 November 1986

(Minister for Communications)

A BILL

FOR

**An Act to provide for the transfer of the functions of the
Special Broadcasting Service to the Australian Broadcasting
Corporation, and for other purposes**

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

PART I—PRELIMINARY

Short title

- 5 1. This Act may be cited as the *ABC/SBS Amalgamation Act 1986*.

Commencement

2. This Act shall come into operation on 1 January 1987.

MR

PART II—AMENDMENTS OF THE AUSTRALIAN BROADCASTING CORPORATION ACT 1983

Principal Act

3. The *Australian Broadcasting Corporation Act 1983*¹ is in this Part referred to as the Principal Act.

5

Charter of the Corporation

4. Section 6 of the Principal Act is amended by omitting sub-sections (1) and (2) and substituting the following sub-sections:

“(1) The functions of the Corporation are—

- (a) to provide within Australia innovative and comprehensive
broadcasting and television services of a high standard as part of
the Australian broadcasting system consisting of national, commercial
and public sectors and, without limiting the generality of the
foregoing, to provide— 10
 - (i) broadcasting programs and television programs that contribute 15
to a sense of national identity, inform and entertain, and
reflect the cultural diversity of, the Australian community
and contribute to the development of a multicultural society
based on mutual understanding;
 - (ii) multilingual broadcasting programs and television programs; 20
and
 - (iii) broadcasting programs and television programs of an
educational nature;
- (b) to transmit to countries outside Australia broadcasting programs
and television programs of news, current affairs, entertainment and 25
cultural enrichment that will—
 - (i) encourage awareness of Australia and an international
understanding of Australian attitudes on world affairs; and
 - (ii) enable Australian citizens living or travelling outside Australia
to obtain information about Australian affairs and Australian 30
attitudes on world affairs; and
- (c) to encourage and promote the musical, dramatic and other
performing arts in Australia, taking into account the cultural diversity
of the Australian community.

“(2) In the provision by the Corporation of its broadcasting and television
services within Australia— 35

(a) the Corporation shall take account of—

- (i) the broadcasting and television services provided by the
commercial and public sectors of the Australian broadcasting
and television system; 40
- (ii) the standards from time to time approved by the Australian
Broadcasting Tribunal in respect of broadcasting and television
services;

- 5 (iii) the responsibility of the Corporation as the provider of an independent national broadcasting and television service to provide a balance between broadcasting programs and television programs of wide appeal and specialised broadcasting programs and television programs;
- (iv) the multicultural character of the Australian community and the objective of encouraging and facilitating participation by persons whose first language is not English in the political, economic, social and cultural life of Australia;
- 10 (v) the needs of Aboriginal and Torres Strait Islander communities and of persons of diverse cultural backgrounds; and
- 15 (vi) in connection with the provision of broadcasting programs and television programs of an educational nature—the needs of persons from non-English speaking backgrounds, particularly in facilitating the learning of English, and the responsibilities of the States in relation to education; and
- 20 (b) the Corporation shall take all measures consistent with its obligations under paragraph (a) as are, in the opinion of the Board, conducive to the full development by the Corporation of suitable broadcasting programs and television programs.”.

Advisory Councils and committees

5. Section 11 of the Principal Act is amended by omitting sub-section (6) and substituting the following sub-section:

- 25 “(6) In making appointments to the Australian Broadcasting Corporation Advisory Council, the Board shall have regard to the diverse cultural background of the Australian community and shall ensure, as far as practicable, that the membership of that Advisory Council includes a broad representation of the Australian community (including persons from non-
- 30 English speaking backgrounds).”.

Membership of Board

6. Section 12 of the Principal Act is amended by omitting from paragraph (1) (c) “7” and substituting “10”.

Tenure of Managing Director

- 35 7. Section 13 of the Principal Act is amended—
- (a) by omitting from sub-section (1) “Subject to sub-section (2), the” and substituting “The”;
- (b) by omitting from sub-section (1) “a period of 5 years” and substituting “such period, not exceeding 5 years, as is specified in
- 40 the instrument of appointment”; and
- (c) by omitting sub-section (2).

Staff-elected Director

8. Section 13A of the Principal Act is amended by omitting paragraph (2) (a) and substituting the following paragraph:

“(a) the person is—

- (i) an officer of the Corporation; or
- (ii) a temporary employee of the Corporation who, by the terms of his or her employment, is required to devote at least 24 hours per week to the duties of that employment;”.

5

Acting Chairman

9. Section 19 of the Principal Act is amended by inserting after sub-section (2) the following sub-section:

10

“(2A) A non-executive Director who is acting as Chairman shall be paid, instead of the remuneration and allowances that would be payable to the person apart from this sub-section, the same remuneration and allowances as are payable to the Chairman.”.

15

Meetings of the Board

10. Section 22 of the Principal Act is amended—

(a) by omitting paragraph (1) (b) and substituting the following paragraph:

“(b) shall convene a meeting of the Board on receipt of a written request signed by—

20

- (i) if there are not more than 6 non-executive Directors holding office under section 12—at least 4 Directors;
- (ii) if there are more than 6 but not more than 9 non-executive Directors holding office under that section—at least 5 Directors; or
- (iii) if there are more than 9 non-executive Directors holding office under that section—at least 6 Directors.”; and

25

(b) by omitting paragraph (7) (a) and substituting the following paragraph:

30

“(a) a quorum is constituted by—

- (i) if there are not more than 6 non-executive Directors holding office under section 12—4 Directors;
- (ii) if there are more than 6 but not more than 9 non-executive Directors holding office under that section—5 Directors; or
- (iii) if there are more than 9 non-executive Directors holding office under that section—6 Directors.”.

35

11. Section 26 of the Principal Act is repealed and the following section is substituted:

Corporation to have regard to services provided by certain holders of public radio licences or public television licences

5 “26. (1) In performing its functions, the Corporation shall have regard to services provided by a holder of a public radio licence or a holder of a public television licence through the broadcasting or televising of programs in a language other than English, and the Corporation may provide such programs and services to the holder of such a licence as the Board considers
10 appropriate.

“(2) In this section, ‘public radio licence’ and ‘public television licence’ have the same respective meanings as in the *Broadcasting Act 1942*.”.

News services

12. Section 27 of the Principal Act is amended by inserting after sub-section (2) the following sub-section:

“(2A) The Corporation shall broadcast, and may televise, such sessions of news and information in languages other than English as the Board considers appropriate.”.

Limitation on contracts and lease-back arrangements

20 13. Section 70 of the Principal Act is amended by omitting from paragraph (1) (a) “\$500,000” and substituting “\$1,000,000”.

Transfer of assets

14. Section 75 of the Principal Act is amended by omitting from sub-section (3) “shall cause all” and substituting “may cause”.

Matters to be included in annual report

15. Section 80 of the Principal Act is amended—

(a) by inserting before paragraph (a) the following paragraph:

“(aa) particulars of programs in languages other than English, and programs contributing to the development of a multicultural society, broadcast or televised by the Corporation during the year to which the report relates;”;
30 and

(b) by omitting from paragraph (a) “the year to which the report relates” and substituting “that year”.

PART III—AMENDMENTS OF ACTS

Amendments of Acts

16. The Acts specified in the Schedule are amended as set out in the Schedule.

PART IV—TRANSFER OF ASSETS AND LIABILITIES AND STAFFING AND TRANSITIONAL PROVISIONS

Interpretation

17. In this Part, unless the contrary intention appears—

“ABC Act” means the *Australian Broadcasting Corporation Act 1983*; 5

“amalgamation day” means 1 January 1987;

“assets” means property of any kind, including—

(a) choses in action; and

(b) rights, interests or claims in or to property, whether liquidated or unliquidated, certain or contingent or accrued or accruing; 10

“Board” means the Australian Broadcasting Corporation Board;

“Corporation” means the Australian Broadcasting Corporation;

“liabilities” means liabilities or obligations of any kind, whether liquidated or unliquidated, certain or contingent or accrued or accruing;

“non-executive Director” means a member of the Board other than the Managing Director; 15

“Service” means the Special Broadcasting Service established by Part IIIA of the *Broadcasting Act 1942*;

“transmitter” has the same meaning as in Part VII of the ABC Act;

Transfer of assets and liabilities 20

18. (1) On the amalgamation day—

(a) the assets of the Service (other than transmitters owned by the Service) existing immediately before that day become assets of the Corporation; and

(b) the liabilities of the Service existing immediately before that day become liabilities of the Corporation as if they had been incurred or undertaken by the Corporation in or in connection with the performance of its functions or the exercise of its powers. 25

(2) On the amalgamation day, any transmitters that were, immediately before that day, owned by the Service become the property of the Commonwealth. 30

(3) Sub-section (1) operates to make the Corporation liable to pay or discharge any liabilities arising under the *Compensation (Commonwealth Government Employees) Act 1971* in relation to a person who, at any time before the amalgamation day, was— 35

(a) the Executive Director of the Service; or

(b) a member of the staff of the Service or a person engaged under sub-section 79Y (2) of the *Broadcasting Act 1942*,

being liabilities that existed immediately before the amalgamation day, or that arise on or after that day as a consequence of an event that occurred before that day, and the Corporation shall, in relation to those liabilities, be 40

deemed to be a prescribed authority of the Commonwealth for the purposes of the first-mentioned Act in relation to such a person.

5 (4) Any bank account maintained by the Service immediately before the amalgamation day under section 79ZC of the *Broadcasting Act 1942* shall be deemed to have been opened by the Corporation under section 63J of the *Audit Act 1901* as that section applies to the Corporation by virtue of section 72 of the ABC Act.

(5) Sub-section (1) extends, so far as the powers of the Parliament permit, to—

- 10 (a) assets situated outside Australia and rights existing under the law of a foreign country; and
(b) liabilities arising under the law of a foreign country.

Contracts, &c.

15 19. Any contract, agreement or arrangement (including a contract entered into pursuant to sub-section 79Y (2) of the *Broadcasting Act 1942*) to which the Service was a party and that was in force immediately before the amalgamation day continues in force after that day as if—

- (a) the Corporation were substituted for the Service as a party to the contract, agreement or arrangement; and
20 (b) any reference in the contract, agreement or arrangement to the Service were, except in relation to matters that occurred before the amalgamation day, a reference to the Corporation.

Proceedings

25 20. Where, immediately before the amalgamation day, proceedings to which the Service was a party were pending in any court or tribunal, the Corporation is, on and after that day, substituted for the Service as a party to the proceedings.

Exemption from taxation

30 21. Stamp duty or other tax under a law of the Commonwealth or of a State or Territory is not payable in respect of—

- (a) the vesting in the Corporation of any assets of the Service;
(b) any steps that are necessary to be taken to reflect the operation of this Part in relation to any of those assets; or
35 (c) any documents or instruments executed for the purpose of giving effect to the operation of this Part.

Service to continue in existence for certain purposes

40 22. (1) Notwithstanding the repeal of Part IIIA of the *Broadcasting Act 1942* effected by this Act, the Service continues in existence for the purpose of discharging its obligations under this section until the Minister, by notice in writing published in the *Gazette*, certifies that the Service has discharged those obligations, and Divisions 1, 2 and 3 of Part IIIA of the

Broadcasting Act 1942 continue to apply to the operations of the Service while it so continues in existence.

(2) Where, immediately before the amalgamation day, the Service was the holder of any shares in the capital of a body corporate or in units in a unit trust, the Service shall execute such documents or instruments as may be necessary to ensure that the Corporation becomes the holder of those shares or units. 5

(3) Sections 79ZG and 79ZH of the *Broadcasting Act 1942* continue to apply to the Service after the amalgamation day in respect of—

- (a) if the Service has not, before the amalgamation day, furnished a report of its operations during the year that ended on 30 June 1986—that year; and 10
- (b) the period commencing on 1 July 1986 and ending on 31 December 1986 as if that period were a year and as if the reference in sub-section 79ZH (1) of the *Broadcasting Act 1942* to 30 June were a reference to 31 December. 15

(4) The Service shall take such steps as it is able to take to ensure that—

- (a) any assets of the Service that are situated outside Australia and any rights of the Service existing under the law of a foreign country become vested in the Corporation; and 20
- (b) where the Service is liable to pay or discharge any liabilities under the law of a foreign country, the Corporation becomes liable to pay or discharge those liabilities.

(5) During the period during which the Service continues in existence under this section, the Service shall— 25

- (a) hold so many of the assets and rights referred to in sub-sections (2) and (4) as have not become vested in the Corporation on trust for the Corporation; and
- (b) pay or discharge such of the liabilities referred to in sub-section (4) as have not become liable to be paid or discharged by the Corporation when those liabilities are due to be paid or discharged. 30

(6) The Service shall take such steps as it is able to take to ensure that the Corporation becomes a party to any contract, agreement or arrangement entered into by or on behalf of the Service and in force immediately before the amalgamation day, being a contract, agreement or arrangement in force and governed by the law of a foreign country. 35

(7) The Corporation shall, at the request of the Service, make available to the Service such staff, and provide the Service with such funds, as may be necessary from time to time to enable the Service to discharge its obligations under this section. 40

(8) The Corporation shall, during the period during which the Service continues in existence under this section, pay to the members of the Service

in respect of the performance of their duties under this section such remuneration and allowances as the Minister, by notice in writing given to the Corporation from time to time, directs.

- 5 (9) For the purpose of discharging its obligations under this section, the Service may, either generally or as otherwise provided by the instrument of delegation, by writing under its common seal, delegate to a member of the staff of the Corporation made available to the Service under sub-section (7) any of its powers other than this power of delegation.

- 10 (10) A power so delegated, when exercised by the delegate, shall be deemed to have been exercised by the Service.

(11) A delegation under sub-section (9) does not prevent the exercise of a power by the Service.

Corporation to employ members of staff of Service

- 15 23. (1) Where a person was, immediately before the amalgamation day—

- (a) the Executive Director of the Service; or
- (b) a member of staff of the Service referred to in sub-section 79Y (1) of the *Broadcasting Act 1942* (being an officer within the meaning of the *Public Service Act 1922*),

- 20 the person becomes, on the amalgamation day, an unattached officer of the Corporation as if that person had been appointed under section 33 of the ABC Act.

- 25 (2) Where a person was, immediately before the amalgamation day, a member of staff of the Service referred to in sub-section 79Y (1) of the *Broadcasting Act 1942* (being an employee within the meaning of the *Public Service Act 1922*), that person becomes, on the amalgamation day, a temporary employee of the Corporation as if that person had been engaged under section 33 of the ABC Act.

- 30 (3) On the amalgamation day, a person to whom sub-section (1) applies ceases to be an officer within the meaning of the *Public Service Act 1922* and becomes a person to whom Division 3 of Part IV of that Act applies.

- 35 (4) Where a person to whom sub-section (2) applies was, immediately before the amalgamation day, a fixed-term employee within the meaning of Division 10 of Part III of the *Public Service Act 1922*, the person is deemed to have been engaged by the Corporation for that part of the fixed-term that remains unexpired on the amalgamation day.

Terms and conditions of service of persons who become officers or employees of Corporation

- 40 24. (1) The Managing Director of the Corporation shall, on the amalgamation day, be deemed to have determined under sub-section 33 (10) of the ABC Act terms and conditions of employment of persons to whom

section 23 of this Act applies that are the same as the terms and conditions of those persons immediately before the amalgamation day.

(2) The Managing Director of the Corporation shall not make a determination under sub-section 33 (10) of the ABC Act in relation to a person to whom sub-section (1) of this section applies that would have the effect of modifying the operation of section 25 in relation to the person.

Certain persons to retain recreation and sick leave credits

25. Where a person becomes, pursuant to section 23, an unattached officer or a temporary employee of the Corporation—

- (a) the person retains the rights that had accrued to that person immediately before the amalgamation day in respect of recreation leave and leave on the ground of illness; and 10
- (b) the period of service of the person that was recognised in the person's employment immediately before the amalgamation day for the purposes of determining leave and other entitlements counts, for the purposes of determining those entitlements of the person as an officer or temporary employee of the Corporation, as if it were service with the Corporation. 15

Probation

26. (1) Subject to sub-section (2), persons who become unattached officers of the Corporation pursuant to section 23 shall be deemed not to be employed by the Corporation on probation. 20

(2) Where a person who becomes an unattached officer of the Corporation pursuant to section 23 had been, before the amalgamation day, appointed on probation as an officer of the Australian Public Service and that person's appointment had not been confirmed before that day— 25

- (a) that person becomes employed by the Corporation on probation for the remainder of the period of probation for which the person had been so appointed; 30
- (b) any decision made before that day under the *Public Service Act 1922* that the period of probation of that person be extended has effect, on and after that day, as if it were a decision made under and in accordance with the terms and conditions of that person's employment with the Corporation; and 30
- (c) for the purpose of the application to that person of the terms and conditions of that person's employment with the Corporation in so far as they relate to service on probation, that person's service on probation in the Australian Public Service counts as if it were service performed for the Corporation. 35

Leave of absence deemed to have been granted

27. Where— 40

- (a) a person becomes, pursuant to section 23, an unattached officer or temporary employee of the Corporation; and

- (b) the person had been granted leave of absence for a period ending on or after the amalgamation day,

then—

- (c) the person is deemed to have been granted leave of absence by the Corporation in accordance with—

(i) the terms and conditions of the person's employment with the Corporation in so far as they relate to leave of absence;

(ii) the *Long Service Leave (Commonwealth Employees) Act 1976*; or

(iii) the *Maternity Leave (Commonwealth Employees) Act 1973*, as the case requires, for a period commencing on the amalgamation day or the day on which that leave of absence was to commence, whichever is the later, and ending on the last day of the period referred to in paragraph (b); and

- (d) if that person was paid salary or allowances in respect of any leave on or after the amalgamation day, that payment is deemed to have been made by the Corporation in respect of leave that is deemed to have been granted under this section.

Discipline

28. (1) This section applies to a person—

(a) who becomes, pursuant to section 23, an unattached officer of the Corporation; or

(b) who becomes, pursuant to section 23, a temporary employee of the Corporation and who was, immediately before the amalgamation day, a person to whom sections 61 and 62 of the *Public Service Act 1922* applied by virtue of regulations made under section 63T of that Act.

- (2) Where—

(a) a former supervisor of a person to whom this section applies had, before the amalgamation day, reason to believe that the person may, at any time, have failed to fulfil his or her duty as an officer as mentioned in section 61 of the *Public Service Act 1922*; and

(b) the person was not charged with misconduct under that section or finally dealt with under that section,

the Managing Director of the Corporation may deal with the person under Division 4 of Part V of the ABC Act as if the person had been alleged to be guilty of misconduct within the meaning of section 64 of the ABC Act.

- (3) Where—

(a) a person to whom this section applies had, before the amalgamation day, been charged with misconduct under section 61 of the *Public Service Act 1922*; and

(b) that charge had not been disposed of before that day in accordance with Division 6 of Part III of that Act,

the Managing Director of the Corporation—

(c) shall inquire into the charge and deal with the person as if the charge had been an allegation of misconduct within the meaning of section 64 of the ABC Act; and

(d) may treat any explanation or report in respect of the charge furnished to the Chief Officer under Division 6 of Part III of the *Public Service Act 1922* as having been furnished to the Managing Director in connection with that inquiry. 5

(4) Where—

(a) a person to whom this section applies had, before the amalgamation day, appealed under section 63D of the *Public Service Act 1922* against a decision made in respect of him or her; and 10

(b) that appeal had not been determined before that day,

the appeal shall be heard and determined under section 65 of the ABC Act as if the decision were action taken in relation to the person under section 64 of the ABC Act. 15

(5) Where a person to whom this section applies was, before the amalgamation day, suspended from duty under the *Public Service Act 1922*, the suspension continues after the amalgamation day as if it had been effected under the ABC Act. 20

Members of the Board

29. (1) Subject to sub-section (2), each person who, immediately before the amalgamation day, held office as a non-executive Director ceases to hold that office upon that day.

(2) If a person held office as the staff-elected Director, or as the deputy of the staff-elected Director, of the Board immediately before the amalgamation day, that person continues, subject to the ABC Act and notwithstanding sub-sections 5 (3A) and (3B) of the *Broadcasting and Television Legislation Amendment Act 1986*, to hold that office after that day until the Board causes an election of the staff-elected Director or of the deputy of the staff-elected Director to be held and a person is elected to that office. 25 30

(3) The Board shall, as soon as practicable after the amalgamation day, cause elections of a person as the staff-elected Director and of a person as the deputy of the staff-elected Director to be held and, if those elections are held before regulations are made for the purposes of sections 13A and 13B of the ABC Act, those elections shall be held in such manner as is approved by the Board. 35

Effect of Appropriation Acts

30. So much of the amount appropriated under— 40

(a) Sub-division 2 of Division 201 of the *Appropriation Act (No. 1) 1986-87*; and

- (b) Sub-division 2 of Division 834 of the *Appropriation Act (No. 2) 1986-87*,

as has not, before the amalgamation day, been issued and applied for payment to the Service for multicultural broadcasting may, on and after that day, be issued and applied for payment to the Corporation as if that amount had been included in—

- (c) in a case to which paragraph (a) applies—Item 01. of Sub-division 1 of Division 201 of the Act referred to in that paragraph; or

- (d) in a case to which paragraph (b) applies—Item 01. of Sub-division 1 of Division 834 of the Act referred to in that paragraph.

SCHEDULE

Section 16

AMENDMENTS OF ACTS

Archives Act 1983

Sub-section 36 (5)—

Omit “or the Special Broadcasting Service”.

Broadcasting Act 1942

Sub-section 4 (1) (definition of “Service”)—

Omit the definition.

Sub-section 4 (1) (paragraph (b) of the definition of “service area”)—

- (a) Omit “or the Service”.

- (b) Omit “or Service, as the case may be.”.

Paragraph 4 (6) (e)—

Omit “or the Service”.

Section 6B—

Omit “, the Service”.

Paragraph 17C (4) (a)—

Omit “or the Service” (wherever occurring).

Paragraph 18 (2A) (a)—

Omit “or the Service” (wherever occurring).

Paragraph 18A (1) (a)—

Omit “or the Service”.

Sections 60, 63, 64, 72, 73, 74 and 78A—

Repeal the sections.

Part IIIA—

Repeal the Part.

SCHEDULE—continued**Paragraph 89D (3) (c)—**

Omit “, the Service”.

Paragraph 119AA (3) (b)—

Omit “or the Service”.

Paragraph 125D (2) (a)—

Omit “, the Service”.

Sub-section 125F (1)—

Omit the sub-section, substitute the following sub-section:

“(1) This section applies to a member and an associate member of the Tribunal.”.

Commonwealth Electoral Act 1918**Sub-section 287 (1) (paragraphs (a) and (b) of the definition of “broadcaster”)—**

Omit the paragraphs, substitute the following paragraph:

“(a) the Australian Broadcasting Corporation constituted under the *Australian Broadcasting Corporation Act 1983*; or”.

Freedom of Information Act 1982**Part II of Schedule 2—**

Omit “Special Broadcasting Service, in relation to its program material”.

Referendum (Machinery Provisions) Act 1984**Section 110 (paragraphs (a) and (b) of the definition of “broadcaster”)—**

Omit the paragraphs, substitute the following paragraph:

“(a) the Australian Broadcasting Corporation constituted under the *Australian Broadcasting Corporation Act 1983*; or”.

Trade Practices Act 1974**Sub-section 65A (3) (paragraphs (b) and (c) of the definition of “prescribed information provider”)—**

Omit the paragraphs, substitute the following word and paragraph:

“and (b) the Australian Broadcasting Corporation.”.

NOTE

1. No. 6, 1983, as amended. For previous amendments, see No. 91, 1983; Nos. 65 and 67, 1985; and Nos. 2 and 76, 1986.