

Broadcasting Amendment Act 1996

Public Act 1996 No 53
Date of assent 1 July 1996

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An Act to amend the Broadcasting Act 1989

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Broadcasting Amendment Act 1996, and shall be read together with and deemed part of the Broadcasting Act 1989 (hereinafter referred to as the principal Act).
- (2) This Act shall come into force on the day on which this Act receives the Royal assent.

2 Interpretation

This section inserted definitions of the terms **Approved financial reporting standard**, **Series** and **Total operating revenue** in section 2 of the principal Act.

3 Formal complaints about programmes

This section inserted s 6(1)(ba) of the principal Act.

4 Right of complainant to refer formal complaint to Authority

- (1) This subsection repealed s 8(1)(b), and inserted s 8(1)(ba) of the principal Act.
- (2) This subsection inserted s 8(1A) of the principal Act.

5 Time limits

This section amended s 9(2) of the principal Act.

6 Additional powers to make order in respect of series

This section inserted s 13A of the principal Act.

7 Offences

This section substituted s 14 of the principal Act.

8 Power to award costs

This section inserted s 16(4) of the principal Act.

9 Appeal against decision of Authority

This section amended s 18(1)(b) of the principal Act.

10 Membership of Authority

- (1) This subsection substituted s 26(1), and inserted s 26 (1A) and (1B) of the principal Act.
- (2) This subsection repealed s 26(3) of the principal Act.
- (3) Section 6 of the Broadcasting Amendment Act 1993 is hereby consequentially repealed.
- (4) Notwithstanding subsections (1) to (3) of this section, every member of the Authority in office at the commencement of this section shall, unless the member sooner vacates the member's office under clause 1 of Schedule 1 to the principal Act, continue in office as if those subsections had not been enacted.
- (5) As vacancies occur in the membership of the Authority (not being vacancies in the office of Chairperson), the Minister shall, in making recommendations under section 26(1) of the principal Act, decide, having regard to the composition of the membership of the Authority, whether any such vacancy is to be filled having regard to section 26(1A) or section 26(1B) of the principal Act.

11 Term of office of members of Authority

This section substituted s 27 of the principal Act.

12 Delegation of functions or powers by Authority

This section amended s 29(1) of the principal Act.

13 New sections inserted

This section inserted ss 30A to 30G of the principal Act.

14 Funds of Authority

This section inserted s 31(aa) of the principal Act.

- 15 Administrative expenses**
This section inserted s 49(5) of the principal Act.
- 16 Administrative expenses**
This section inserted s 53M(4) of the principal Act.
- 17 Interpretation**
This section substituted s 69 of the principal Act.
- 18 Prohibition on paid election programmes**
This section amended s 70 of the principal Act.
- 19 New sections substituted**
This section substituted ss 70A to 76B, inserted s 76C, and substituted ss 77 to 80 of the principal Act.
- 20 Regulations**
This section inserted s 82(aa) of the principal Act.
- 21 Contracts of Commission**
[Repealed]
Section 21 was repealed, as from 25 January 2005, by section 200 Crown Entities Act 2004 (2004 No 115).
- 22 Amendment to Public Finance Act 1989**
This section amended Schedule 6 to the Public Finance Act 1989.
- 23 Repeals**
Sections 10 to 19 of the Broadcasting Amendment Act 1993 are hereby consequentially repealed.
- 24 Transitional provisions**
(1) Any notice given by the Authority after the 1st day of March 1996 and before the date of the commencement of this Act, being a notice published in the *Gazette* under section 70A of the principal Act, shall, on the date of commencement of this Act, cease to be of any legal effect.

- (2) In respect of the period beginning with the commencement of this Act and ending with the close of the 30th day of November 1996, sections 71A(1) and 72(2)(b), and 72(3) of the principal Act (as enacted by section 19 of this Act) shall be read as if, for the expression “20 working days” wherever it appears, there were substituted in each case the expression “10 working days”.
- (3) In respect of the period beginning with the commencement of this Act and ending with the close of the 30th day of November 1996, section 75(1) of the principal Act (as enacted by section 19 of this Act) shall be read as if, for paragraph (a), there were substituted the following paragraph:
- “(a) In the case of a general election,—
- “(i) That party was registered on the Register of Political Parties on the 5th working day after the date of commencement of the Broadcasting Amendment Act 1996; or
- “(ii) Persons belonging to that party or group of related political parties were, on the 5th working day after the date of commencement of the Broadcasting Amendment Act 1996, deemed, by section 70D of this Act, to be constituency candidates at that general election for at least 5 seats in the House of Representatives; and.”