



Broadcasting Legislation Amendment Act 2007

No. 28, 2007

An Act to amend the *Broadcasting Services Act 1992*, and for related purposes

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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An Act to amend the *Broadcasting Services Act 1992*, and for related purposes

[Assented to 15 March 2007]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Broadcasting Legislation Amendment Act 2007*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Broadcasting Services Act 1992

1 At the end of subsection 212(1)

Add:

; or (c) re-transmit programs that are transmitted by a service that does no more than transmit program material supplied by National Indigenous TV Limited.

2 At the end of subsection 212(3)

Add:

; or (e) a re-transmission of program material mentioned in paragraph (1)(c) by the licensee who transmitted the program material.

Copyright Act 1968

3 Subsection 10(1) (definition of *free-to-air broadcast*)

Repeal the definition, substitute:

free-to-air broadcast means:

- (a) a broadcast delivered by a national broadcasting service, commercial broadcasting service or community broadcasting service within the meaning of the *Broadcasting Services Act 1992*; or
- (b) a broadcast delivered by a broadcasting service within the meaning of the *Broadcasting Services Act 1992* that does no more than transmit program material supplied by National Indigenous TV Limited.

4 Section 135C

Before “This”, insert “(1)”.

5 At the end of section 135C

Add:

- (2) The reference to free-to-air broadcast in subsection (1) does not include a reference to a broadcast within the meaning of paragraph (b) of the definition of *free-to-air broadcast* in subsection 10(1).

[Minister’s second reading speech made in—
House of Representatives on 15 February 2007
Senate on 1 March 2007]
