

BROADCASTING CORPORATION AMENDMENT BILL

EXPLANATORY NOTE

Clause 2 makes provision for the appointment of a Deputy Chairman of the Corporation.

Clause 3 rewrites a provision in the principal Act requiring the Corporation to comply with Government policy.

The principal change proposed is that any notice in writing given by the Minister to the Corporation requiring the Corporation to take any action for the purpose of giving effect to the policy of the Government in relation to the functions or powers of the Corporation shall be laid before Parliament.

Clause 4: The purpose of this clause is to make new provisions with respect to the appointment of the Director-General of Broadcasting.

At present the Director-General is appointed by the Governor-General on the recommendation of the Corporation. The term of his appointment is five years and he may be reappointed for a further term of five years.

The clause proposes that the Director-General be appointed by the Corporation on such terms and conditions as it thinks fit.

The salary of the Director-General will be appropriated by Parliament.

The present Director-General is continued in office until 31 March 1970.

Hon. Mr Adams-Schneider

BROADCASTING CORPORATION AMENDMENT

ANALYSIS

Title	3. Corporation to comply with Govern-
1. Short Title	ment policy
2. Deputy Chairman	4. Appointment of Director-General

A BILL INTITULED

An Act to amend the Broadcasting Corporation Act 1961

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,
5 as follows:

1. Short Title—This Act may be cited as the Broadcasting Corporation Amendment Act 1967, and shall be read together with and deemed part of the Broadcasting Corporation Act 1961* (hereinafter referred to as the principal Act).

10 **2. Deputy Chairman**—(1) The principal Act is hereby amended by inserting, after section 4, the following section:

“4A. (1) At the first meeting of the Corporation after the commencement of this section the Corporation shall elect one of its members to be Deputy Chairman.

15 “(2) Any person elected as Deputy Chairman shall hold office as such until he vacates office as a member of the Corporation or until an appointment or reappointment to the office of Chairman is made, but may from time to time be re-elected.

*1961, No. 117
Amendment: 1965, No. 40

“(3) At the first meeting of the Corporation after a vacancy occurs in the office of Deputy Chairman, the Corporation shall elect one of its members to be Deputy Chairman.

“(4) Subject to the provisions of this Act, the Deputy Chairman shall have and may exercise all the powers and duties of the Chairman during the absence or incapacity of the Chairman or while there is a vacancy in the office of Chairman. 5

“(5) No acts done by the Deputy Chairman acting as the Chairman shall in any proceedings be questioned on the grounds that the occasion for his so acting had not arisen or had ceased.” 10

(2) Section 5 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection: 15

“(2) In the case of the incapacity of the Chairman, his deputy shall be the member holding office as Deputy Chairman and a deputy may be appointed for the Deputy Chairman.” 20

3. Corporation to comply with Government policy—The principal Act is hereby further amended by repealing section 11, and substituting the following section:

“11. (1) In the exercise of its functions and powers under this Act the Corporation shall comply with the general policy of the Government of New Zealand and shall comply with any general or special directions given by the Minister to the Corporation by notice in writing pursuant to the policy of the Government in relation to the functions and powers of the Corporation. 25 30

“(2) A copy of every notice under subsection (1) of this section shall be laid by the Minister before Parliament within twenty-eight days after the date of the notice if Parliament is then in session, and, if not, shall be laid before Parliament within twenty-eight days after the commencement of the next ensuing session.” 35

4. Appointment of Director-General—(1) Section 16 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) The Director-General shall be appointed by the Corporation to hold office for such term, and on such terms and conditions, as the Corporation thinks fit. Any person appointed as Director-General may from time to time be reappointed. 40

“(2A) The Director-General shall be paid out of the Consolidated Revenue Account such salary as may from time to time be appropriated by Parliament:

5 “Provided that any money paid from the Consolidated Revenue Account in any year under this subsection shall in that year be repaid to that Account from the Broadcasting Account.”

(2) Section 16 of the principal Act is hereby further amended by omitting from subsection (4) the words “the
10 Minister”, and substituting the words “the Corporation”.

(3) Section 16 of the principal Act is hereby further amended by omitting from subsection (5) the words “the Minister”, and substituting the words “the Corporation”.

(4) Notwithstanding the provisions of this section, the
15 person who, at the commencement of this Act, is exercising the powers, duties, and functions of Director-General shall, unless he sooner dies, resigns, or is removed from office, hold office as Director-General until the thirty-first day of March, nineteen hundred and seventy, in all respects as if he had
20 been appointed under section 16 of the principal Act as amended by this section.