



Australian Capital Territory

# **Legislative Assembly (Broadcasting of Proceedings) Act 1997 (repealed) No 31**

## **Republication No 2**

Republication date: 11 March 2002

As repealed by Act 2001 No 69

Amendments incorporated to 11 March 2002

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Legislative Assembly (Broadcasting of Proceedings) Act 1997* (repealed). It includes any amendment, repeal or expiry affecting the republished law to 10 March 2002 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Legislative Assembly (Broadcasting of Proceedings) Act 1997 (repealed)

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Amendments incorporated to  
11 March 2002



Australian Capital Territory

# **Legislative Assembly (Broadcasting of Proceedings) Act 1997 (repealed)**

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An Act relating to the broadcasting of proceedings of the Legislative  
Assembly

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## Part 1 Preliminary

### 1 Short title

This Act may be cited as the *Legislative Assembly (Broadcasting of Proceedings) Act 1997*.

### 3 Definitions for Act

In this Act:

*Note* A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

***broadcast*** means to transmit sound or visual images by radio, television, landline or any other electronic means.

***government office*** means a place where officers or employees of the public service perform their duties.

***Speaker*** means the person elected under the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), section 11.

## **Part 2                      Broadcasting of proceedings to government offices**

### **4            Authorisation of broadcasting to government offices**

- (1) The Speaker may, in writing, authorise the broadcasting of proceedings of the Legislative Assembly or a committee of the Assembly to specified government offices.
- (2) An authorisation is subject to any conditions specified in it.
- (3) The Speaker shall, within 3 sitting days of the Legislative Assembly after an authorisation is given, varied or revoked, cause a copy of the authorisation, variation or revocation to be laid before the Legislative Assembly.
- (4) The validity of an authorisation, or a variation or revocation of an authorisation, is not affected by a failure to comply with subsection (3).

### **5            Compliance with conditions of authorisation**

A person who broadcasts proceedings of the Legislative Assembly, or a committee of the Assembly, pursuant to an authorisation under section 4 shall comply with any conditions to which the authorisation is subject.

### **6            No action for broadcasting proceedings under pt 2**

No proceedings, civil or criminal, lie against a person for broadcasting proceedings of the Legislative Assembly or a committee of the Assembly in accordance with an authorisation under section 4.



- (4) The Speaker shall, within 3 sitting days of the Legislative Assembly after an authorisation is given, varied or revoked, cause a copy of the authorisation, variation or revocation to be laid before the Legislative Assembly.
- (5) The validity of an authorisation, or a variation or revocation of an authorisation, is not affected by a failure to comply with subsection (3) or (4).

## **9 Unauthorised broadcasting of proceedings**

- (1) A person shall not broadcast to the public—
- (a) proceedings of the Legislative Assembly or a committee of the Assembly; or
  - (b) a recording of any such proceedings;
- unless he or she has been authorised to do so under section 8.
- (2) A person who has been granted an authorisation under section 8 shall, in making a broadcast under the authorisation, comply with any conditions to which the authorisation is subject.

## **10 Privilege in respect of authorised broadcasts**

- (1) It is a defence to an action for defamation in respect of matter contained in a broadcast of proceedings of the Legislative Assembly, or a committee of the Assembly, made in accordance with an authorisation under section 8 that the defamatory matter was broadcast by the defendant without any adoption by the defendant of the substance of the matter and the defamatory matter was contained in a fair and accurate report of the proceedings.
- (2) This section does not deprive a person of any defence that would have been available to him or her if this section had not been enacted.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier replications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
num = numbered	sdiv = subdivision
No = number	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced

### 3 Legislation history

#### **Legislative Assembly (Broadcasting of Proceedings) Act 1997 No 31**

notified 16 July 1997 (Gaz 1997 No S185)  
 ss 1-6 commenced 16 July 1997 (s 2 (1))  
 remainder commenced 20 August 1997 (s 2 (2) and Gaz 1997  
 No S252)

as amended by

#### **Legislation (Consequential Amendments) Act 2001 No 44 pt 221**

notified 26 July 2001 (Gaz 2001 No 30)  
 s 1, s 2 commenced 26 July 2001 (IA s 10B)  
 pt 221 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

as repealed by

#### **Legislative Assembly (Broadcasting) Act 2001 No 69 s 11**

notified 10 September 2001 (Gaz 2001 No S66)  
 s 1, s 2 commenced 10 September 2001 (IA s 10B)  
 s 11 commenced 10 March 2002 (LA s 79)

### 4 Amendment history

#### **Commencement**

s 2 from 2001 No 44 amdt 1.2628

### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
1	Act 2001 No 44	18 February 2002

Authorised when accessed at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or in authorised printed form

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