Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



# **STAATSKOERANT**

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

## REPUBLIC OF SOUTH AFRICA

# **GOVERNMENT GAZETTE**

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KAAPSTAD, 25 JUNIE 1986 CAPE TOWN, 25 JUNE 1986

No. 10305

#### KANTOOR VAN DIE STAATSPRESIDENT

No. 1292.

25 Junie 1986

No. 1292.

25 June 1986

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat erby ter algemene inligting gepubliseer word:—

No. 59 van 1986: Uitsaaiwysigingswet, 1986.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

STATE PRESIDENT'S OFFICE

No. 59 of 1986: Broadcasting Amendment Act, 1986.

**BROADCASTING AMENDMENT ACT, 1986** 

Act No. 59, 1986

| GENER   | AT  | EVDI     | A | TATA | TO | DX   | NICOTT | 7.  |
|---------|-----|----------|---|------|----|------|--------|-----|
| E-MINNE | A . | H. X.PI. | A | NA   |    | IK Y | NUMBER | 4.0 |

Words in bold type in square brackets indicate omissions from existing enactments. Words underlined with solid line indicate insertions in existing enactments.

To amend the Broadcasting Act, 1976, so as to provide for a staggered licensing year; and to extend the objects and powers of the South African Broadcasting Corporation; and to provide for incidental matters.

> (Afrikaans text signed by the State President.) (Assented to 18 June 1986.)

**RE** IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

1. Section 1 of the Broadcasting Act, 1976 (hereinafter referrated to as the principal Act), is hereby amended—

Amendment of section 1 of Act 73 of 1976

(a) by the substitution for the definition of "licensing year"

of the following definition:
"'licensing year' means a period of 12 months or less determined by regulation;"; and

(b) by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Foreign Affairs [and Information];".

2. Section 11 of the principal Act is hereby amended by the Amendment of addition of the following paragraph:

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"(d) to transmit programmes by means of radio for reception by any category of persons in a particular area or at a particular place.

3. Section 13 of the principal Act is hereby amended—

(a) by the substitution for paragraph (h) of subsection (1) of the following paragraph:

"(h) compile, print, produce, publish or distribute any section 7 of literary matter [recordings and cinematograph Act 61 of 1982. films] relating to broadcasting;";

(b) by the insertion after paragraph (h) of subsection (1) of the following paragraph:

"(hA) make, compile, print, manufacture, buy, hire or acquire by any other means sound, visual, or audio-visual recordings, fixations and material of whatever nature or description and may sell, lease, deal in or in any other manner dispose of such recordings, fixations and material, irrespective of whether it was broadcast by the corporation or not;";

Act 73 of 1976.

as amended by

section 1 of Act 61 of 1982.

section 11 of Act 73 of 1976.

Amendment of section 13 of Act 73 of 1976, as amended by

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### **BROADCASTING AMENDMENT ACT, 1986**

Act No. 59, 1986

(c) by the insertion after paragraph (l) of subsection (1) of the following paragraph:

"(lA) form and incorporate or establish, and run, a company the shares of which may also be held by persons other than the corporation, or any body of persons, corporate or unincorporate;"; and

(d) by the addition of the following subsections:

(3) The corporation shall not become involved in any way in the carrying on of any broadcasting service in co-operation with any other person except with the approval of the Minister and in accordance with such conditions or requirements as he may determine.

(4) The provisions of this section shall not be construed as conferring on any person any rights or powers that the corporation has in terms of this Act, any other

law or any licence issued under any law.".

4. Section 17 of the principal Act is hereby amended by the Amendment of substitution for subparagraph (ii) of paragraph (a) of subsection (1) of the following subparagraph:

"(ii) against payment of the appropriate fees prescribed by regulation for the licence or a pro rata part of such fees Act 61 of 1982. if the licensing year for which that licence is issued is less than 12 months and of any amount incurred as a penalty in terms of subsection (4) of this section,".

section 17 of Act 73 of 1976, as amended by section 11 of

5. Section 23 of the principal Act is hereby amended by the insertion after subsection (3) of the following subsection:

> '(3A) For the purpose of the definition of 'licensing year' different periods may be determined in respect of different categories of persons or different areas or places or different categories of areas or places, and the dates of commencement of periods so determined may differ irrespective of whether those periods relate to the same categories of

Amendment of section 23 of Act 73 of 1976. as amended by section 17 of Act 61 of 1982.

6. Section 29 of the principal Act is hereby amended by the Amendment of 35 substitution for paragraph (c) of subsection (1) of the following section 29 of

persons, areas or places.".

Act 73 of 1976.

'(c) the income of the corporation, as well as the income of any company formed under section 13 (1) (lA) all the shares of which are held by the corporation, shall be exempt from income tax.".

7. This Act is called the Broadcasting Amendment Act, 1986.

Short title and commencement.