

Overseas Telecommunications

No. 31 of 1968

An Act to amend the *Overseas Telecommunications Act* 1946–1966.

[Assented to 13 June 1968]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *Overseas Telecommunications Act* 1968.

(2.) The *Overseas Telecommunications Act* 1946–1966* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Overseas Telecommunications Act* 1946–1968.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Definitions.

3. Section 5 of the Principal Act is amended—

(a) by inserting after the definition of “ Acting Commissioner ” the following definition:—

“ ‘ approved bank ’ means the Reserve Bank of Australia or a bank approved by the Treasurer for the purposes of the provision in which the expression occurs; ”; and

(b) by omitting the definition of “ Australia ” and inserting in its stead the following definition:—

“ ‘ Australia ’ includes the Territories of the Commonwealth and the territorial waters of the Commonwealth and of the Territories of the Commonwealth; ”.

Term of office of Commissioners.

4. Section 10 of the Principal Act is amended by omitting from sub-section (3.) the words “ the remainder of that period ” and inserting in their stead the words “ a period not exceeding three years ”.

Appointment of officers.

5. Section 18 of the Principal Act is amended by omitting sub-section (7.) and inserting in its stead the following sub-section:—

“ (7.) The Commission shall not, except with the approval of the Minister, determine the salary of a position (other than the position of the general manager) at a rate exceeding the rate of Seven thousand five hundred dollars per annum or, if a higher rate is prescribed for the purposes of this sub-section, that higher rate.”.

* Act No. 23, 1946, as amended by No. 69, 1952; No. 26, 1958; No. 85, 1963; and No. 93, 1966.

6. Section 26 of the Principal Act is repealed. Employment of married women.
7. Section 27 of the Principal Act is amended by omitting the words “(not being an officer to whom sub-section (11.) or (12.) of section eighteen of this Act applies)”. Appointments to be on probation.
8. Section 33 of the Principal Act is amended by omitting the word “appoint” and inserting in its stead the word “engage”. Temporary and casual employees.
9. Section 33A of the Principal Act is amended by omitting from sub-section (1.) the words—
“Penalty: Five hundred dollars or imprisonment for one year.”. Officers, &c., not to divulge contents of telecommunications.
10. Section 34 of the Principal Act is amended by omitting sub-paragraphs (iv), (v) and (vi) of paragraph (a) and inserting in their stead the following sub-paragraphs:—
 (iv) the Commonwealth and any Territory of the Commonwealth not forming part of the Commonwealth; and
 (v) any Territories of the Commonwealth not forming part of the Commonwealth;”. General functions and duties of Commission.
11. Section 35 of the Principal Act is amended by adding at the end thereof the following sub-section:—
 “(3.) Notwithstanding the last preceding sub-section, the Commission may retain out of the charges referred to in that sub-section such amounts in respect of terminal and transit work performed by the Commission as are determined in a manner approved by the Postmaster-General, after consultation with the Director-General of Posts and Telegraphs and the Commission.”. Commission to comply with International Telecommunications Convention, &c.
12. Section 38 of the Principal Act is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:—
 “(2.) The Commission shall not, without the approval of the Minister—
 (a) acquire any property, right or privilege for a consideration exceeding in amount or value One hundred thousand dollars or, if a higher amount is prescribed, that higher amount;
 (b) dispose of any property, right or privilege where the amount or value of the consideration for the disposal, or the value of the property, right or privilege, exceeds One hundred thousand dollars or, if a higher amount is so prescribed, that higher amount;
 or
 (c) enter into a lease of land for a period exceeding ten years.”. Power to purchase and dispose of assets.
13. Section 43 of the Principal Act is amended by omitting from sub-section (1.) the words “the Commonwealth Bank of Australia, or from such other bank as the Treasurer approves” and inserting in their stead the words “an approved bank”. Borrowing.

Bank
accounts.

14. Section 44 of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) The Commission may open and maintain an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.”.

Application
of moneys.

15. Section 45 of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) Moneys of the Commission not immediately required for the purposes of the Commission may be invested—

- (a) on fixed deposit with an approved bank;
- (b) in securities of the Commonwealth; or
- (c) subject to such conditions, if any, as the Treasurer determines by instrument under his hand—by way of loan to a person for the time being approved by the Treasurer upon the security of securities of the Commonwealth.”.

16. Section 77 of the Principal Act is repealed and the following section inserted in its stead:—

Acceptance
and delivery
facilities, &c.

“77.—(1.) The Commission is entitled, subject to the *Post and Telegraph Act* 1901–1966, to accept from and deliver to the public through its own offices and agencies overseas messages intended for transmission or received for delivery through its cable and radiotelegraph services, and to relay those messages from one part of Australia to another either through its cable and radiotelegraph stations or through its land-line connexions or, where necessary, to a ship at sea.

“(2.) Except as provided by or under this Act, the Commission shall not transmit or receive messages lodged in the Commonwealth for delivery in the Commonwealth or lodged in a Territory of the Commonwealth for delivery in that Territory.

“(3.) The Commission is entitled either through its cable and radiotelegraph stations or through its land-line connexions to transmit or receive service messages within Australia.

“(4.) The Commission is entitled to have its service messages transmitted by telegram by the Postmaster-General free of charge.

“(5.) Where the Director-General of Posts and Telegraphs requests the Commission to do so by reason of an interruption to services under the control of the Postmaster-General’s Department, the Commission shall transmit telegrams from or receive telegrams at stations operated by the Commission, subject to payment of reasonable charges to the Commission by the Commonwealth.

“(6.) In this section, ‘service messages’ means messages relating to international public telecommunications.”.