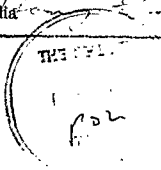


The Parliament of the Commonwealth of Australia



**INQUIRY INTO THE
RADIO AND TELEVISION BROADCASTING OF
PARLIAMETARY PROCEEDINGS**

Interim Report



*The Joint Committee on
the Broadcasting of Parliamentary Proceedings*

May 1994

Australian Government Publishing Service
Canberra

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MEMBERS OF THE COMMITTEE

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Members: Mr A R Bevis, MP
Mr E H Cameron, MP
Mr N J Hicks, MP
Mr P J Knott, MP
Hon L R S Price, MP

Secretary: Mr D R Elder

TERMS OF REFERENCE FOR BROAD INQUIRY

To inquire and report on the arrangements which may apply in respect of the televising and radio broadcasting of the proceedings of the Houses of Parliament and their committees, including a review of the *Parliamentary Proceedings Broadcasting Act 1946* (the act), with particular reference to:

- (a) the general principles upon which radio broadcast, delayed broadcast and rebroadcast of proceedings of both Houses and their committees occur and conditions for broadcasting of audio-only excerpts of proceedings;
- (b) in relation to the television signal of proceedings:
 - (i) the feasibility of encompassing within the Act arrangements applying to the televising of proceedings of each House and its committees, and joint committees;
 - (ii) the formulation of general principles upon which the televising of proceedings of both Houses and their committees occurs, the allocation arrangements between the Houses and conditions for usage of videotape excerpts of proceedings; and
 - (iii) review of arrangements for making available to bodies external to Parliament House, Canberra, the signal of proceedings distributed by means of the house monitoring service; and
- (c) the establishment of a permanent, Australia-wide parliamentary broadcast network under parliamentary control.

Additional Terms of Reference for Review of Certain General Principles and Standing Determinations

That the following matter be referred to the Joint Committee on the Broadcasting of Parliamentary Proceedings for inquiry and report on or before 24 March 1994: reconsideration of -

- (a) the general principle which prohibits broadcasting of Senate proceedings after 11.30pm but prior to the moving of the adjournment, with a view to recommending the adoption by each

*House of a change to this principle to permit such broadcasting;
and*

- (b) *the standing determination of 25 March 1953 which prohibits broadcasting of the Senate when it sits on a Saturday, with a view to the committee making a new determination to permit such broadcasting.*

ABBREVIATIONS

ABC	Australian Broadcasting Corporation
DPRS	Department of Parliamentary Reporting Staff
HMS	House Monitoring Service
PBN	Parliamentary Broadcasting Network
PNN	Parliamentary and News Network
SAVO	Sound and Vision Office

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

CHAPTER TWO GENERAL PRINCIPLES AND STANDING DETERMINATIONS FOR RADIO BROADCASTING

Extent of Coverage

The Committee recommends that the general principles be amended to ensure that there is broadcasting of parliamentary proceedings under the *Parliamentary Proceedings Broadcasting Act 1946* on any day on which they occur and that the coverage is of all proceedings of the House allocated the broadcast. (Recommendation 1) (Para 2.11)

Allocation of Broadcasts

The Committee will amend its standing determinations so that, except where the debate of significant issues require a transfer of the allocation of the broadcast to the other House, the allocation will be:

Monday - House of Representatives
Tuesday - Senate
Wednesday - Senate
Thursday - House of Representatives
Friday - House of Representatives
Saturday - Senate
Sunday - House of Representatives (Para 2.18)

To facilitate the reallocation of broadcasts, the Committee will amend the standing determinations to make more explicit that the Committee, or a delegated sub-committee, can vary the allocation between the Houses for a day, or part of a day, where significant circumstances warrant. (Para 2.22)

The Committee will amend the standing determinations:

- to allow the non allocated House to be broadcast prior to the allocated House so long as sufficient time is allowed for the transfer to the allocated House before its commencement; and
- to allow the transfer of the broadcast from the allocated House to the other House at the earliest opportunity after the adjournment of the allocated House; and

- to remove the requirement relating to the transfer of the broadcast from the Senate where a want of confidence has been moved in the House of Representatives. (Para 2.25)

Delayed broadcast of Question Time

The Committee recommends that the delayed broadcast of Question Time from the House which has not been allocated the broadcast for a particular day take place immediately on the conclusion of the live broadcast of proceedings unless otherwise ordered by the Committee. (Recommendation 2) (Para 2.28)

Revised general principles and standing determinations

The Committee recommends that each House adopts the general principles as proposed by the Committee at Appendix 5. (Recommendation 3) (Para 2.37)

If these general principles are adopted by the Houses, the Committee will alter the standing determinations in the ways it has suggested in this report. The proposed standing determinations are at Appendix 6. (Para 2.38)

CHAPTER THREE 24 HOUR NEWS AND PARLIAMENTARY SERVICE

Conclusions and Recommendations

The Committee does not oppose the ABC's proposed 24-hour news and parliamentary service and recommends that:

- the Minister for Communications considers those issues which he has to resolve together with the ABC and reach a decision on the proposal, noting that the proposal will not result in any additional costs for the ABC;
- prior to the commencement of an ABC news service on the PBN, the ABC resolve with the Committee the practical issues concerning how that service will operate. The network should be referred to as the Parliamentary and News Network; and
- in providing its news service on the PBN, the ABC must abide by all decisions and determinations of the Committee in relation to the parliamentary broadcasts on the network. (Recommendation 4) (Para 3.12)

CHAPTER ONE

BACKGROUND TO REVIEW

1.1 *The last broad review of arrangements for broadcasting and televising of parliamentary proceedings was undertaken by the Committee in the mid 1980s with a report being released in June 1986. Some recommendations of the earlier review have not been implemented while others have been overtaken to some extent by changes in circumstances since the 1980s. The Committee considered it timely to undertake a further review which could set the framework for broadcasting and televising of parliamentary proceedings for the next decade.*

1.2 *In November 1993 both Houses referred to the Committee an inquiry into the arrangements applying to the radio and television broadcasting of the proceedings of the Houses of Parliament and their committees. The detailed terms of reference are at page vii of the report. The inquiry included a review of 'the general principles upon which radio broadcast, delayed broadcast and rebroadcast of proceedings of both Houses and their committees occur'.*

1.3 *The Committee advertised the inquiry in major metropolitan daily newspapers on 3 December 1993. The Committee also sought submissions from relevant parliamentary departments and other persons and organisations with an interest in the inquiry.*

1.4 *A list of submissions to the review is at Appendix 1.*

1.5 *Subsequent to the inquiry being advertised, a further inquiry was referred to the Committee by both Houses. This inquiry focussed on certain of the general principles and standing determinations covering radio broadcasting of parliamentary proceedings, specifically Senate proceedings. The detailed terms of reference for this inquiry are at page vii. The Committee was requested to report on this inquiry by 25 March 1994. The reporting date was extended to 12 May 1994.*

1.6 In the context of addressing the second of these references, the Committee decided to review the general principles and standing determinations more generally, as required by its first terms of reference. In the next chapter, the Committee discusses the general principles and standing determinations.

1.7 In addition to reporting on the general principles and standing determinations, the Committee also reports on a proposal which the Australian Broadcasting Corporation (ABC) referred to the Committee in relation to a 24-hour news and parliamentary service to be run during the down time from parliamentary proceedings on the Parliamentary Broadcast Network (PBN). The ABC asked the Committee to examine this issue urgently. This issue is reported on in the final chapter of the report.

1.8 Two public hearings were conducted on this part of the review. The first was held on 28 February 1994 and involved taking evidence from the ABC on its proposal for a 24-hour news service. The second hearing, held on 17 March 1994, concentrated on taking evidence on the general principles and standing determinations. A list of persons and organisations who gave evidence at public hearings is at Appendix 2.

1.9 The Committee will undertake the balance of its inquiry later this year and will report on the remaining terms of reference before the end of the year.

CHAPTER TWO

GENERAL PRINCIPLES AND STANDING DETERMINATIONS FOR RADIO BROADCASTING

Background

2.1 Until 1985, the only broadcasting of parliamentary proceedings permitted was the continuous coverage required to be transmitted on ABC radio. However, in that year each House approved coverage, including rebroadcast of excerpts, by any radio station subject to conditions determined by this Committee. A copy of the conditions is at Appendix 3.

2.2 The arrangements for the compulsory radio broadcasting of parliamentary proceedings are covered by the *Parliamentary Proceedings Broadcasting Act* 1946. Under the Act the Committee reports to both Houses on the general principles under which broadcasts take place. In addition, the Committee is empowered by the Act to make determinations, within the general principles, on the periods and days of radio broadcast. Thus the current general principles and standing determinations flesh out the detailed arrangements for radio broadcasting of both Houses. In its evidence to the inquiry, the Department of the House of Representatives noted the value of incorporating the arrangements for broadcasting in principles and determinations which are separate from the Act as they can be reviewed and adapted as circumstances change.¹ The current general principles and standing determinations are at Appendix 4.

¹ Evidence, p. S76.

2.3 However, the general principles and standing determinations have not been reviewed since their initial establishment in the early days of radio broadcasting. They are now somewhat anachronistic in view of technological developments, changes in parliamentary practice and procedures, changes in sitting hours and changes in community perceptions. The Committee considers it is timely to examine the principles and determinations as a total package and make appropriate changes. In the following sections the Committee discusses the major issues which emerged from its examination of the general principles and standing determinations.

Extent of coverage

2.4 The first general principle provides that 'The proceedings of Parliament shall be broadcast on each day on which either House is sitting'. This general principle appears to imply that proceedings are broadcast on any day on which either House sits and that there are no restrictions on the coverage. However, general principle two prevents the broadcast of the Adjournment Debate and of any proceedings after 11.30pm. Standing determination six prevents the coverage of Saturday sittings.

2.5 The Committee considers that there should be no restrictions on the coverage of proceedings within the limits imposed by having only one network on which to broadcast Parliament. As the Department of the Senate noted, the ideal situation would be to have two networks so that the proceedings of each House could be covered in full.² This will be explored further by the Committee during the remainder of the inquiry.

2.6 There is a variety of reasons why coverage of the Adjournment Debate has been restricted. One may be related to a perception that the Adjournment Debate only covered items of local electorate rather than national interest. Another

² Evidence, p. 34.

was concern that misuse and prolongation of the debate may be encouraged by the fact of its being broadcast, and that any allegations made and broadcast during the Adjournment Debate could not be responded to until the next sitting day. However, each House now has fixed limits on the length of speeches and the total length of the Adjournment Debate. The conditions for rebroadcast of excerpts of proceedings do not exclude the Adjournment Debate. The parliamentary departments and the ABC favoured the coverage of the Adjournment Debate.

2.7 The lack of coverage of proceedings after 11.30pm appears to relate to concerns about the cost of employing staff to cover proceedings late at night as well as the cost of operating the transmitters. Prior to the 1960s the ABC's metropolitan network which was used to broadcast parliamentary proceedings shut down between 10.30 and 11.00pm. Between 1960 and 1988 transmissions concluded at 12.00mn. These circumstances no longer apply as the resources of the Sound and Vision Office are devoted to the production of the audio signal regardless of whether the signal is being broadcast. Also there is a dedicated PBN which broadcasts parliamentary proceedings.

2.8 Restrictions on broadcasts of Saturday sittings relate to similar issues to those raised by coverage of sittings after 11.30pm. It appears to have been the expense of deploying staff and the impact on the ABC's major metropolitan network (with sport being a significant feature on a Saturday) which saw the restrictions imposed on the coverage of Saturday sittings. These circumstances are no longer relevant with the devotion of parliamentary resources to the production of the audio signal and the dedication of the PBN to the coverage of parliamentary proceedings.

2.9 Saturday sittings are rare, with only three having occurred in the Senate since radio broadcasting commenced in 1946 and 1 in the House of Representatives. As they are unscheduled sittings, they tend to occur when significant issues are being debated. For example, the most recent Saturday sitting on 18 December 1993 debated the Native Title Bill, a piece of legislation of

considerable national interest. The Committee is aware there was great public dissatisfaction that the Parliament was not broadcast on that day.

2.10 The Committee supports the principle that the Adjournment Debate is as much a part of parliamentary proceedings as any other debate and considers the proceedings of the allocated House should be broadcast in full and on any day when there are sittings. This includes coverage of the Adjournment Debate and proceedings on the weekends.

2.11 The Committee recommends that:

the general principles be amended to ensure that there is broadcasting of parliamentary proceedings under the *Parliamentary Proceedings Broadcasting Act 1946* on any day on which they occur and that the coverage is of all proceedings of the House allocated the broadcast. (Recommendation 1)

2.12 The Committee will amend relevant standing determinations to ensure there is a full coverage of proceedings.

Allocation of broadcasts

2.13 General principle three provides for the allocation of broadcasts between the two Houses. It states that:

The allocation of broadcasting time between the Senate and the House of Representatives shall be in accordance with the views of the Joint Committee on the *Broadcasting of Parliamentary Proceedings*, or its Sub-Committee, on the importance of the impending debate and the public interest attaching thereto. The Committee recognises that, in practice, more time will be allotted to the House of Representatives than to the Senate.

2.14 The current allocation between the two Houses, with the cycle of two sitting weeks followed by two non sitting weeks, is provided under standing determination five. The allocation is:

Monday - Senate
Tuesday - House of Representatives
Wednesday - Senate
Thursday - House of Representatives
Friday - Senate (if sitting)

2.15 Under the current sitting pattern, this allocation results in a relatively equal coverage of both Houses during the weeks when both Houses sit. However, with the weeks of Senate only sittings the Senate, in practice, is broadcast more often than the House of Representatives. Both the Department of the Senate and the Department of the House of Representatives favoured the general principles recognising that the allocation overall should continue to be relatively equal between the two Houses. The Committee supports a change to the general principles to aim to achieve a relatively equal coverage overall.

2.16 With the achievement of a relatively even balance overall in mind, the Department of the House of Representatives suggested that irregular sittings, such as those which would occur on a Friday, Saturday or Sunday, should be allocated to the House of Representatives.³ This would result in the following allocation:

Monday - Senate
Tuesday - House of Representatives
Wednesday - Senate
Thursday - House of Representatives
Friday - House of Representatives
Saturday - House of Representatives
Sunday - House of Representatives

³ Evidence, p. S80.

However, the Department noted the effect of this allocation would be to exclude from broadcast Private Members' Business in the House of Representatives (which previously had been on a broadcast Thursday) and Prime Minister's Question Time. The Department asked the Committee to consider Monday being a House of Representatives broadcast day with Tuesday becoming a Senate broadcast day. The Department of the Senate raised no objection to this proposal.

2.17 While the Committee understands the arguments of the Department of the House of Representatives for allocating irregular sittings to the House of Representatives, it considers that one of these days (Saturday) should be allocated to the Senate. The capacity of the Committee to vary the allocation where there is significant debate expected in the House which is not allocated provides the necessary flexibility within the allocation of irregular sittings as outlined in the Standing Determinations.

2.18 The Committee will amend its standing determinations so that, except where the debate of significant issues require a transfer of the allocation of the broadcast to the other House, the allocation will be:

Monday - House of Representatives
Tuesday - Senate
Wednesday - Senate
Thursday - House of Representatives
Friday - House of Representatives
Saturday - Senate
Sunday - House of Representatives

2.19 If there are changes in the sitting pattern, the Committee would consider the impact of the changes on the allocation and the achievement of equality of coverage between the two Houses.

2.20 General principle three states that the Committee will consider the importance of impending debate and the public interest in such debate in deciding on the allocation. In practice, the allocation has followed, in a relatively rigid way, the general allocation approved by the Committee. There have only been six instances since radio broadcasting commenced of the broadcast being transferred from the House to which it was allocated under the Committee's standing determinations.

2.21 Under the Act, the Committee or a delegated sub-committee has the power to determine the days upon which, and the periods during which, the proceedings of either House may be broadcast. This includes varying the allocation. The Committee considers the existing determinations should be changed to make more explicit that the allocation can be varied by the Committee or a delegated sub-committee where significant circumstances warrant a transfer. Such a change may result in greater flexibility in responding to debates or issues of significance emerging in either House.

2.22 To facilitate the reallocation of broadcasts, the Committee will amend the standing determinations to make more explicit that the Committee, or a delegated sub-committee, can vary the allocation between the Houses for a day, or part of a day, where significant circumstances warrant.

Transfer of broadcasts

2.23 Standing determinations one and three allow the broadcast coverage to be extended by permitting the transfer of proceedings from the House allocated the broadcast to the other House where the transfer will not affect the coverage of the allocated House. The standing determinations provide for these transfers to occur after meal suspensions. As the new sitting hours generally do not include meal suspensions during the day, a different arrangement is required. The Committee supports an arrangement which is relatively flexible, provides certainty of coverage for the allocated House but which also allows coverage to be maximised by

permitting a smooth transfer to the other House when the allocated House is not sitting. This can be achieved by allowing a transfer from the allocated House to the other House at the earliest opportunity. If the other House sits prior to, or later than, the allocated House, coverage of its proceedings should be possible without interfering with the full coverage of the allocated House.

2.24 Standing determination two allows an immediate transfer of the broadcast to the House of Representatives on a scheduled Senate broadcast day where, as a result of a want of confidence motion being moved in the House of Representatives, the Senate adjourns for the day. As the Senate no longer follows the practice of adjourning under such circumstances the Committee considers the determination is not necessary. Under general principle seven the Committee could depart from the usual arrangements to meet any such special circumstances.

2.25 **The Committee will amend the standing determinations:**

- to allow the non allocated House to be broadcast prior to the allocated House so long as sufficient time is allowed for the transfer to the allocated House before its commencement;**
- to allow the transfer of the broadcast from the allocated House to the other House at the earliest opportunity after the adjournment of the allocated House; and**
- to remove the requirement relating to the transfer of the broadcast from the Senate where a want of confidence has been moved in the House of Representatives.**

Delayed broadcast of Question Time

2.26 General principle five provides for the delayed broadcast of Question Time from the House not allocated the broadcast for a particular day. The general

principle states that the delayed broadcast should occur during the meal break of the allocated House (from 7.15pm-8.00pm).

2.27 General principle five will need to change to reflect changes in sitting hours which no longer provide meal breaks and any changes to the restriction on the broadcast of the Adjournment Debate. If the broadcast of the allocated House, including of its Adjournment Debate, generally will finish at 8pm then the delayed broadcast of Question Time from the other House should take place immediately after the conclusion of the allocated House or the broadcast of the other House if the broadcast has been transferred under other general principles and standing determinations. The time for the delayed broadcast may differ if the allocated House proceeds beyond the usual time for the conclusion of its Adjournment Debate. However, the time for the delayed broadcast generally will be the same (8.00pm) and listeners will know that the delayed broadcast will come on at the conclusion of the live broadcast.

2.28 **The Committee recommends that delayed broadcast of Question Time from the House which has not been allocated the broadcast for a particular day take place immediately on the conclusion of the live broadcast of proceedings unless otherwise ordered by the Committee. (Recommendation 2)**

2.29 This recommendation is an interim one. There is a view that there could be additional coverage of parliamentary proceedings, especially as the new sitting times make this possible at reasonable hours of the day.

2.30 One suggestion is that, following the live broadcast of proceedings, there could be a delayed broadcast of an extended period of the House that had not been covered live that day. The delayed broadcast could be of the proceedings from Question Time, for a specified number of hours (say four), or until the end of proceedings. For example, on Senate broadcast days, the House of Representatives would have its proceedings from 3.00pm to 7.00pm or 8.00pm rebroadcast following the adjournment of the Senate from 8.00pm to 12mn or 1.00am.

2.31 Another possibility would be to have a delayed broadcast of all of the other House's proceedings following the completion of the allocated House. If this was implemented, much of the down time on the PBN on sittings weeks would be occupied by parliamentary broadcasts.

2.32 With the Main Committee meeting shortly as a second chamber of the House of Representatives there also is the question of the radio coverage of its proceedings, which could involve a rebroadcast of part or all of its proceedings after the live coverage of the Chambers.

2.33 A further possibility would be to have greater coverage of committee proceedings (either live or by rebroadcast) on the PBN.

2.34 *The Committee favours greater use of the PBN for the rebroadcast of parliamentary proceedings including of the Chambers and the Main Committee of the House of Representatives. However, it is aware that any extension of current coverage would have an impact on the down time on the PBN. As discussed in the next chapter, the ABC has a proposal to use the down time on the PBN for a 24-hour news service. The Committee will discuss the possibility of extended rebroadcasts with the ABC and other relevant organisations. One possibility that could be considered to lessen the impact on the ABC's proposed service would be to permit it to run short news breaks on the hour during the period of the rebroadcasts. As the Committee has the authority under the Act to vary the Standing Determinations to allow additional rebroadcasts, it will consider such changes following its consultations.*

Other changes

2.35 Other changes suggested to the general principles and standing determinations are of a minor nature and are recommended because these provisions are no longer relevant. The other suggested changes include:

General principle six which provides for broadcast and rebroadcast only through national ie ABC stations seems no longer to be relevant now that each House permits broadcasting of any of its proceedings by any radio station.

Determination 8 which allows the Budget Speech and Leader of the Opposition's Reply to be broadcast by the ABC on its regional stations would not seem necessary. These speeches naturally attract wide interest in the community and the ABC, as with other broadcasters, should be able to make its own judgement about its coverage. There are no longer restrictions on the ABC's ability to broadcast any aspect of parliamentary proceedings it wishes on its other networks. The Committee intends to delete this determination leaving the decision about coverage of Parliament on other parts of the ABC network as one for the ABC to make. The Committee will examine the issue of access of regional areas to the PBN later in the inquiry.

Determination 9 relates to daylight saving time in Tasmania in view of the requirement for the broadcast to conclude at 11.30pm. As the Committee is recommending the removal of this restriction the need for this determination is obviated.

Revised general principles and standing determinations

2.36 As a result of the changes recommended in this report, the Committee supports revised general principles and standing determinations. These are at Appendices 5 and 6. They retain the core of the approach which has characterised radio broadcasting of Parliament since its inception in 1946. However, they bring the general principles and standing determinations into the 1990s and have them reflect current technical, procedural and community realities.

2.37 **The Committee recommends that each House adopts the general principles as proposed by the Committee at Appendix 5. (Recommendation 3)**

2.38 **If these general principles are adopted by the Houses, the Committee will alter the standing determinations in the ways it has suggested in the report. The proposed standing determinations are at Appendix 6.**

2.39 **The revised general principles and standing determinations will be reviewed by the Committee during the course of the inquiry and any further changes will be recommended to Parliament in a final report.**

CHAPTER THREE

24-HOUR NEWS AND PARLIAMENTARY SERVICE

The proposal

3.1 The ABC presented to the Committee plans for a new free-to-air 24-hour news and parliamentary affairs service to be run on the down time on the Parliamentary Broadcast Network (PBN). It stated the service would be provided from existing ABC resources and would consist of international and Australian news. There would be additional transmission costs in powering the transmitters when Parliament was not sitting. The ABC stated that it had discussed these costs with the National Transmission Agency and had suggested to it closing down short-wave transmitters in Queensland and Western Australia and using the savings to fund the additional transmission costs. The ABC asserted the short-wave transmitters are no longer required to meet the needs of rural dwellers.

3.2 The ABC considered the service would increase audience awareness of the PBN by offering a full time coverage on the network and by cross-promotion from other ABC networks.

The issues

3.3 There are important issues for the Parliament raised by this proposal. Under the *Parliamentary Proceedings Broadcasting Act 1946*, the ABC is required to broadcast Parliament on a network of metropolitan stations (this is now the PBN). The ABC broadcasts on the days and hours determined by the Committee. The days and hours of broadcast are those of the sittings of the Houses and some rebroadcast of material such as Question Time from the House which was not the

scheduled House for broadcast on a particular day. However, the extent of coverage relates to the extent of sittings of the Houses and the general principles and determinations the Committee may make to extend the broadcasts. For example, in the previous chapter the Committee proposed coverage of the Adjournment Debate. This will necessitate at least an additional half hour of broadcast on most broadcast days.

3.4 The ABC stated that it would respond to any decisions by the Committee to extend broadcasts or rebroadcasts. Under the Act, any such directions from the Committee place an obligation on the ABC to broadcast these proceedings. However, such extensions of coverage could limit the ABC's proposed 24-hours news and parliamentary service. This raised a concern for the Committee that the ABC would place pressure for parliamentary broadcasts to be transferred to another network so that programming on the news network would not be interrupted. This has occurred in the past when Parliament has been broadcast on other ABC networks and was a major reason for the establishment of the PBN. The Managing Director of the ABC stated that there would not be such pressure with the proposed news service as it was a service totally consistent with the broadcasting of the *proceedings of Parliament*.⁴

3.5 The Committee also was concerned that if, at a future stage, the Parliament wished to assume full responsibility for the parliamentary coverage, including consideration of the use of the down time on the PBN, the ABC's 24-hour service would impose a significant limitation on the Parliament's ability to take on such a role. However, the ABC acknowledged that the commencement of the service should not prejudice any further deliberations of the Committee in its broader inquiry.⁵

3.6 By switching to the lower powered standby transmitters, the reach and quality of parliamentary broadcasts has been reduced. Even with the dedication of

⁴ Evidence, p. 11.
⁵ Evidence, p. 13.

new transmitters, these are of lower power than Radio National and the ABC's metropolitan stations. The Committee acknowledges that it is up to the ABC what programs it broadcasts on any of its networks apart from the requirements of the Act. When Parliament was on the metropolitan, and later the Radio National networks, a variety of programs were broadcast at other times and the Committee was not entitled to interfere.

3.7 There are some practical questions which would need to be addressed before the service becomes operational. There is the question of the name and call sign for the network. The ABC indicated it was willing to be flexible on the name and call sign, although it noted the potential for the news service to promote the parliamentary coverage on the network. The Committee considers the name should reflect the parliamentary coverage on the network and proposes that the name be Parliamentary and News Network (PNN).

3.8 The question of promotion of the network raises the limitations of the current standing determinations if the ABC wishes to promote either the news network or its other networks during the course of parliamentary proceedings. The Committee recognises that listeners seeking the news but finding Parliament should be able to be advised where or when to find the news. It might even be possible to approve the ABC's broadcasting of brief news bulletins during divisions, especially at times of significant national or international events. The standing determinations would have to be altered to permit such promotion or news bulletins. There would have to be close consultation between the Committee and the ABC prior to the commencement of the service to discuss such changes. The Committee would continue to make the final determinations on the way Parliament would be covered on the network.

3.9 The Minister for Communications must approve the use of the network for the purpose proposed by the ABC. It is understood the proposal raises issues for the Minister for Communications. These were alluded to by the ABC which stated:

Even if this committee saw no difficulty with the proposal, the minister has a host of other problems that we have to work through.⁶

The Committee does not canvass those issues as they are separate from its proper consideration of the proposal. However, the Committee is conscious that the Minister will take account of its views on the proposal from the perspective of the coverage of parliamentary proceedings.

3.10 It could be envisaged that there would be benefits to parliamentary coverage on the network from having it associated with the substantial and highly regarded news services of the ABC. However, the long term compatibility of parliamentary broadcasting with an ABC news service raises some questions. It must be recognised that the PBN was established to ensure that the coverage of parliamentary proceedings would not interfere with programming on the ABC's Radio National and metropolitan networks. The Parliament will wish to ensure that there is no compromise to this dedicated network for radio coverage of parliamentary proceedings.

Conclusions and recommendations

3.11 With these comments in mind, the Committee does not oppose the use of the down time on the PBN for an ABC news service should the Minister for Communications resolve those issues he has to consider. If the service goes ahead, the Committee will monitor its operation during the remainder of its current inquiry and will report on the service in its final report. Prior to the service commencing, the Committee insists on the ABC resolving with the Committee those practical questions referred to earlier. In addition the ABC, as it said it would, must abide by all decisions and determinations of the Committee in relation to parliamentary broadcasts and rebroadcasts on the PBN.

⁶ Evidence, p. 15.

3.12 **The Committee does not oppose the ABC's proposed 24-hour news and parliamentary service and recommends that:**

- . **the Minister for Communications considers those issues which he has to resolve together with the ABC and reach a decision on the proposal, noting that the proposal will not result in any additional costs for the ABC;**

- . *prior to the commencement of an ABC news service on the PBN, the ABC resolve with the Committee the practical issues concerning how that service will operate. The network should be referred to as the Parliamentary and News Network; and*

- . **in providing its news service on the PBN, the ABC must abide by all decisions and determinations of the Committee in relation to the parliamentary broadcasts on the network. (Recommendation 4)**



STEPHEN MARTIN MP

Chairman

May 1994

APPENDIX ONE

LIST OF SUBMISSIONS

No.	Name of person/organisation
1	Mr Bruce Alexander
2.	Mr Chris Borthwick
3	Mr A C M Laing
4	Mr Peter Pini
5	Mr Peter Duncan MP
6	Mr Rod Atkinson MP
7	ACE Television
8	Senator Grant Chapman
9	Mr Brian Hard
10	The Federation of Australian Radio Broadcasters Limited
11	Australian Broadcasting Corporation - Subscription Services
12	Department of the Senate
13	Australian Broadcasting Corporation - Office of the Managing Director
14	Open Access Cable Pty Ltd
15	Mr John Howard MP
16	Department of the Parliamentary Reporting Staff
17	Department of the House of Representatives
18	Federation of Australian Commercial Television Stations
19	Mr Raymond Isaac
20	PRN Network Radio
21	Concerned Citizen's Association of Australia
22	Department of the Parliamentary Reporting Staff
23	Hon Michael Lee, Minister for Communications and the Arts and Minister for Tourism

APPENDIX TWO

LIST OF PERSONS OR ORGANISATIONS GIVING EVIDENCE TO PUBLIC HEARINGS

Witness/organisation	Date of appearance
Australian Broadcasting Commission	
Mr David Hill Managing Director	28 February 1994
Mr Peter Loxton Director Radio	28 February 1994
Mr Anthony Green Project Officer	17 March 1994
Mr Phillip Koch Manager, Australian Capital Territory	17 March 1994
Department of the Senate	
Mr Harry Evans Clerk	17 March 1994
Mr Robert Alison Usher of the Black Rod	17 March 1994
Department of the House of Representatives	
Mr Lyn Barlin Clerk	17 March 1994
Mr Ian Harris Deputy Clerk	17 March 1994

Department of the Parliamentary Reporting Staff

Mr John Templeton
Secretary

17 March 1994

Mr Ian Sharp
Manager, Sound and Vision Office

17 March 1994

APPENDIX THREE

JOINT COMMITTEE ON THE BROADCASTING OF PARLIAMENTARY PROCEEDINGS

CONDITIONS FOR GRANTING ACCESS TO PROCEEDINGS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF RECORDING AND BROADCASTING EXCERPTS

Adopted by the Joint Committee on the Broadcasting of
Parliamentary Proceedings on 2 June 1986.

1. Excerpts may be taken from proceedings of each House (whether or not the proceedings are being continuously broadcast) commencing at the time fixed for the meeting of the House until the adjournment of that House until the next sitting.
2. Excerpts shall be recorded from the audio signal of proceedings transmitted by the House monitoring system throughout Parliament House, Canberra.
3. Excerpts are not to be used for the purposes of satire or ridicule.
4. Excerpts shall not be used for the purposes of political party advertising or in election campaigns.
5. Fairness and accuracy and a general overall balance should be observed.
- 5A. Excerpts of proceedings which are subsequently withdrawn shall be available for re-broadcast provided the withdrawal is also reported.
6. Excerpts must be placed in context. Commentators should identify Senators and Members at least by name.
7. Events in the Galleries are not part of the proceedings and excerpts in relation to such events, as far as is practicable, should not be used.
8. Qualified privilege only shall apply to broadcasters in the use of excerpts.
9. The instructions of the President of the Senate and the Speaker of the House of Representatives or their delegated representatives on the use of recorded excerpts, shall be observed at all times.
10. Where the excerpts are used on commercial networks, the station should try to ensure that advertising before and after excerpts is of an appropriate nature.

11. Where the audio excerpts of proceedings are used on television, their use may be that of audio over still frames, or overlay material.
12. Access to proceedings for the purpose of recording excerpts shall be on the basis of undertaking to observe these guidelines.

For further information:

Secretary of the Joint Committee on the Broadcasting of Parliamentary Proceedings,
Phone: 277 4888.

APPENDIX FOUR

CURRENT GENERAL PRINCIPLES AND STANDING DETERMINATIONS

CONSOLIDATION OF GENERAL PRINCIPLES SPECIFIED IN THE COMMITTEES FIRST, SECOND, THIRD, FOURTH, SIXTH, SEVENTH AND EIGHTH REPORTS ADOPTED BY BOTH HOUSES ON 5 JULY, 17 JULY, 15 NOVEMBER 1946, 30 JUNE 1949, 12 APRIL 1954, 7 APRIL 1960 AND 10 APRIL 1978 RESPECTIVELY

- (1) *Days upon which Proceedings shall be Broadcast.*

The proceedings of Parliament shall be broadcast on each day on which either House is sitting.

- (2) *Periods during which Proceedings shall be Broadcast.*

The broadcast shall commence on each sitting day at the time fixed for the meeting of the House whose opening proceedings are to be broadcast on that day, as determined by the Joint Committee on the Broadcasting of Parliamentary Proceedings, in accordance with section 12 (2.) of the Parliamentary Proceedings Broadcasting Act 1946-60, and shall cease when the adjournment is moved in the House which is being broadcast at that time, or at 11.30 pm, whichever is the earlier.⁷

- (3) *Allocation of Broadcasting time between the Senate and the House of Representatives.*

The allocation of broadcasting time between the Senate and the House of Representatives shall be in accordance with the views of the Joint Committee on the Broadcasting of Parliamentary Proceedings, or its Sub-Committee, on the importance of the impending debate and the public interest attaching thereto. The Committee recognises that, in practice, more time will be allotted to the House of Representatives than to the Senate.

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In its Eighth Report (April 1978) the Joint Committee on the Broadcasting of Parliamentary Proceedings recommended that, when the House of Representatives is being broadcast, the broadcast shall cease when the motion for the adjournment is agreed to or, at 11.30 pm, whichever is the earlier. Consideration of the Report was made an Order of the Day but not proceeded with.

(4) *Re-broadcast of Governor-General's Speech.*

On the first sitting day of each session of the Parliament the Australian Broadcasting Commission shall re-broadcast at 7.15 pm the Speech of the Governor-General.

(5) *Re-broadcast of Questions and Answers.*

(a) Within the limits of time available, the following Parliamentary Proceedings shall be re-broadcast by the Australian Broadcasting Commission between 7.15 pm and 8 pm on each sitting day after the first sitting day of each session -

Senate proceedings - Questions without notice and on notice and answers thereto;

House of Representatives proceedings - Questions without notice and answers thereto.

(b) When a member makes a personal explanation in rebuttal of misrepresentation contained in a question asked that day or an answer thereto, the question and answer shall, subject to the next succeeding sub-paragraph, be excluded from the re-broadcast.

(c) The Presiding Officer may, in his discretion, refer any case to the Joint Committee for decision as to whether such a question and answer shall be excluded from the re-broadcast.

(6) *Broadcast and Re-broadcast through National Stations.*

No broadcast or re-broadcast of the proceedings of either House shall be made except through national broadcasting stations unless the Joint Committee otherwise determines.

(7) The general principles specified in the First Report of the Joint Committee on the Broadcasting of Parliamentary Proceedings adopted by both Houses on 5 July 1946 shall be observed generally by the Joint Committee in making determinations in accordance with the *Parliamentary proceedings Broadcasting Act 1946-60*, but nothing in those general principles shall be taken to prevent the Joint Committee from departing from those general principles in order to meet any unusual or special circumstances.

Standing Determinations made by the Committee are as follows:

STANDING DETERMINATIONS

Transfer of Broadcast from one House to another (Determination of 20 March 1947)

1. When both Houses are meeting on the one day and the House whose proceedings are being broadcast adjourns for the day prior to a normal meal suspension, the broadcast shall be transferred to the other House as from the time when this other House resumes its sitting after the meal suspension.
2. When on any day on which the broadcast has been allotted to the Senate and, as a result of a Want of Confidence Motion having been moved in the House of Representatives, the Senate adjourns for the day, the broadcast shall be transferred immediately to the House of Representatives.

(Determination of 8 May 1947)

3. On any day when both Houses are meeting and on which the House to which the broadcast for the day has not been allocated meets in the forenoon and the House to which the broadcast for the day has been allocated meets in the afternoon, the proceedings of the House first mentioned shall be broadcast from the time of its meeting in the forenoon until its suspension for lunch:

Provided that the broadcast of proceedings of the House which meets in the forenoon shall not be continued past the time fixed for the meeting of the other House.

Re-broadcast of Questions and Answers - *Allocation of time between Houses* (Determination of 26 November 1947)

4. On each sitting day, the re-broadcast by the Australian Broadcasting Commission at 7.15 pm of questions and answers as specified in General Principle No 5 shall commence with the questions and answers of the House to which the broadcast for the day has not been allocated.

This determination is to have effect irrespective of any broadcast, pursuant to the Committee's determination of 8 May 1947, of the morning proceedings of the House to which the broadcast for the day has not been allocated.

Allocation of Broadcasts
(Determination of 21 June 1951)

5. Unless otherwise ordered, the broadcasts be allocated as follows:

Tuesday - House of Representatives
Wednesday - Senate
Thursday - House of Representatives
Friday - Senate.

With the adoption in 1984 by both Houses of a cycle of two sitting weeks followed by two non-sitting weeks, the Committee determined to vary the allocation while the cycle was observed with the following effect:

Monday - Senate
Tuesday - House of Representatives
Wednesday - Senate
Thursday - House of Representatives

Saturday Sittings
(Determination of 25 March 1953)

6. That, in the event of either House sitting on Saturday, the proceedings of that House shall not be broadcast.

Re-broadcast of Questions and Answers
(Determination of 30 September 1953)

7. When points of order or other extraneous matter are eliminated from the re-broadcast of questions and answers, this should be indicated by an appropriate announcement.

(On 29 September 1970 the President of the Senate, Sir Alistair McMullin, explained that, under this rule, points of order and other extraneous matter are eliminated from the re-broadcast of questions and answers. If the points of order can be removed without destroying the sense of the question and answer, then the question and answer will be re-broadcast).

Budget Speech and Leader of the Opposition's Reply
(Determination of 31 August 1967)

8. That the Budget Speech and the Leader of the Opposition's reply may be broadcast by the Australian Broadcasting Commission over its regional stations.

Daylight Saving Time in Tasmania
(Determination of 20 September 1967)

9. That, during the period of Daylight Saving Time in Tasmania, the Broadcast shall cease in that State when the adjournment is moved in the House which is being broadcast at that time, or at 11.30 pm Daylight Saving Time, whichever is the earlier.

Announcements from Control Booths

10. The following general principles apply to announcements made from the Control Booths:
- (a) Announcements to be confined to a straight description of procedure, and business before the House:
 - (b) Political views or forecasts are not to be included:
 - (c) The announcement of each Senator or Member receiving the Call includes the following particulars:
 - (i) Name
 - (ii) Parliamentary office or portfolio
 - (iii) Political party
 - (iv) Electorate or State.

Comment on the presence or absence of Senators and Members (including Ministers) is not to be made except that announcers may refer during Divisions to the way in which specific Members vote. It is to be understood this reference may be made only in such cases as when a Member is voting away from his usual Party alignment or to show on which side an independent Member is voting. Names of members intending to speak during the day or evening may be announced from the Control Booth provided that the announcement is of a provisional nature.

APPENDIX FIVE

PROPOSED GENERAL PRINCIPLES RELATING TO THE RADIO BROADCASTING OF PARLIAMENTARY PROCEEDINGS

1. *Days upon which Proceedings shall be Broadcast and their allocation between the Senate and the House of Representatives.*

The proceedings of Parliament shall be broadcast on each day on which either House is sitting. While there will be a usual allocation of broadcasts between the Senate and the House of Representatives, the Joint Committee on the Broadcasting of Parliamentary Proceedings or its Sub-Committee shall take into account the importance of the impending debate and the public interest attaching thereto in deciding on the allocation. It is anticipated that, over time, the coverage of each House will be approximately equal.

2. *Rebroadcast of Questions and Answers.*

- (a) The following Parliamentary Proceedings shall be rebroadcast by the Australian Broadcasting Corporation at the conclusion of the broadcast of live proceedings from either House unless otherwise ordered by the Committee

Senate proceedings - Questions without notice and answers thereto;

House of Representatives proceedings - Questions without notice and answers thereto;

- (b) *The rebroadcast shall be of the House that is not allocated the broadcast;*
- (c) When a member makes a personal explanation in rebuttal of misrepresentation contained in a question asked that day or an answer thereto, the question and answer shall, subject to the next succeeding sub-paragraph, be excluded from the re-broadcast; and
- (d) The Presiding Officer may, in his or her discretion, refer any case to the Joint Committee for decision as to whether such a question and answer shall be excluded from the rebroadcast.

3. The general principles specified here and adopted by both Houses shall be observed generally by the Joint Committee in making determinations in accordance with the *Parliamentary Proceedings Broadcasting Act 1946*, but nothing in those general principles shall be taken to prevent the Joint Committee from departing from those general principles in order to meet any unusual or special circumstances.

APPENDIX SIX

PROPOSED STANDING DETERMINATIONS RELATING TO THE RADIO BROADCASTING OF PARLIAMENTARY PROCEEDINGS

Transfer of Broadcast from one House to another

1. When both Houses are meeting on the one day and the House whose proceedings are being broadcast adjourns for the day or suspends its proceedings for an extended period, the broadcast may be transferred to the other House at the earliest opportunity.
2. On any day when both Houses are meeting and on which the House to which the broadcast for the day has not been allocated meets prior to the allocated House, the proceedings of the House first mentioned shall be broadcast from the time of its meeting until the latest time for transfer of the broadcast to the allocated House for the commencement of its proceedings.

Allocation of Broadcasts

3. The allocation of broadcasts shall be as follows unless the Joint Committee or its Sub-Committee decides there are significant issues under debate in the House not allocated the broadcast that warrant the transfer of the broadcast:

Monday - House of Representatives
Tuesday - Senate
Wednesday - Senate
Thursday - House of Representatives
Friday - House of Representatives
Saturday - Senate
Sunday - House of Representatives

Rebroadcast of Questions and Answers

4. When points of order or other extraneous matter are eliminated from the rebroadcast of questions and answers, this should be indicated by an appropriate announcement.

Re-broadcast of Governor-General's Speech.

5. On the first sitting day of each session of the Parliament the Australian Broadcasting Corporation shall rebroadcast the Speech of the

Governor-General at the earliest convenient time available on the Parliamentary Broadcast Network.

Announcements from Control Booths

6. The following general principles apply to announcements made from the Control Booths:

- (a) Announcements can include a description of procedure, and business before the allocated House or of business before the other House:
- (b) General information can be provided about the context of debates or particular proceedings as long as political views or forecasts are not included:
- (c) The announcement of each Senator or Member receiving the Call includes the following particulars:
 - (i) Name
 - (ii) Parliamentary office or portfolio
 - (iii) Political party
 - (iv) Electorate or State.
- (d) Names of members intending to speak may be announced.

Comment on the presence or absence of Senators and Members is not to be made except that announcers may refer during Divisions to the way in which specific Members vote. It is to be understood this reference may be made only in such cases as when a Member is voting away from his usual Party alignment or to show on which side an independent Member is voting.

BROADCASTING OF PROCEEDINGS

The report that I have just tabled is the first report of the Joint Committee on the Broadcasting of Parliamentary Proceedings of its inquiry into arrangements for the radio and television broadcasting of parliamentary proceedings.

It also reports on a further reference from both Houses on certain of the general principles and standing determinations dealing with radio broadcasting of parliamentary proceedings.

The report is in two parts. First - it proposes changes to the existing rules for the radio broadcasting of proceedings. These rules are described in the Committee's general principles and determinations. They were established in the early days of radio broadcasting of the Parliament. A number are no longer relevant. Some require revision because of new arrangements for the coverage of proceedings on a dedicated Parliamentary Broadcast Network. Others no longer reflect community expectations about the coverage of proceedings.

The Committee has recommended the adoption by both Houses of new general principles. If agreed to, the Committee proposes to alter its standing determinations in the manner described in the report. Such changes would permit, among other things, the broadcasting of proceedings of either House after 11.30 pm and at weekends.

Second - the report also expresses the Committee's views on a proposal by the Australian Broadcasting Corporation to broadcast a 24-hour news service on the Parliamentary Broadcast Network, at times when the network is not required for parliamentary broadcasts. The Committee does not oppose the ABC's proposal, but recognises that in order for the proposal to proceed, it would require the approval of the Minister for Communications. The Committee insists that, prior to any implementation of the proposal, the ABC resolve with the Committee some practical questions in relation to the operation of a news service on the Parliamentary Broadcast Network.