



Tuvalu

# PUBLIC BROADCASTING (AMENDMENT) ACT 2016

Act No.002 of 2016

I assent

Hon. Sir Iakoba Taeia Italeli

Governor General

Dated 26<sup>th</sup> May, 2016

## AN ACT TO AMEND SECTION 9 AND 12 OF THE PUBLIC BROADCASTING ACT.

### 1 Short Title

This Act may be cited as the PUBLIC BROADCASTING (AMENDMENT) ACT 2016.

### 2 Amendment to section 9

(1) Section 9 of the Act is amended by adding a new subsection (2) as follows:-

#### s.9 -Appointment of the Board

(2) "No one shall be appointed to the Board if he or she:-

- (a) is a person employed in the public service or any other branch of government;



- (b) holds or is acting in any office or position in a State Service on a contract basis;
  - (c) he is certified to be insane, or otherwise adjudged to be of unsound mind, under an Act of Parliament or by a registered medical institution;
  - (d) holds a position in, receives payment from or has, directly or indirectly, significant financial interests in broadcasting or telecommunications;
  - (e) he has been adjudged or declared bankrupt under a law of a Commonwealth country, and has not been discharged; or
  - (f) has been sentenced by a court in a Commonwealth country to death or to imprisonment for a term exceeding 12 months, and has not received a free pardon."
- (3) For the purposes of this section, a person employed in the public service means any person holding any of the following offices or performing the duty thereof, whether acting or a deputy or otherwise, namely —
- (a) any civil office, including the office of Minister or Prime Minister the power of appointing a person to which or of removing from which is vested in Her Majesty or in the Governor- General; or
  - (b) any office to which a person is appointed or nominated by Act or by selection; or
  - (c) any civil office, the power of appointing to which or of removing from which is vested in any person or persons holding an office of any kind included in either of the 2 last preceding paragraphs of this section; or
  - (d) a person in the employ of a Kaupule or a member of the Kaupule;
  - (e) all persons in the employment of any department of the Government.

### 3 Amendment to section 12(2)

Section 12(2) of the Act is repealed in its entirety and replaced with the following:-

#### s.12 Remuneration of the Board

- (2) Members of the Board shall be paid for actual expenses incurred as a result of their duties as members of the Board. The actual expenses shall consist of the following:-
- (a) All domestic or overseas travel allowances including accommodation, subsistence and incidental allowances;
  - (b) Board members sitting allowances; and
  - (c) annual Board members allowances.
- (3) The Board shall prescribe and determine the rates of such fees and allowances.