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Sri Lanka Rupavahini Corporation

Sri Lanka Rupavahini Corporation

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE SRI LANKA RUPAVAHINI CORPORATION FOR THE PURPOSE OF CARRYING ON THE SERVICE OF TELEVISION BROADCASTING IN SRI LANKA, AND FOR DEVELOPING, EXTENDING AND IMPROVING THAT SERVICE ; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :

Act Nos,

6 of 1982

43 of 1988

[22nd January
, 1982]

Short title and date of operation. **1.** This Act may be cited as the Sri Lanka Rupavahini Corporation Act, No. 6 of 1982, and shall come into operation on such date (hereinafter referred to as the " appointed date") as may be appointed by the Minister by Order published in the Gazette.

PART I

ESTABLISHMENT AND CONSTITUTION OF THE SRI LANKA RUPAVAHINI CORPORATION

Establishment

of the Sri Lanka Rupavahini Corporation.

(1) There shall be established a Corporation which shall be called the Sri Lanka Rupavahini Corporation (hereinafter referred to as the " Corporation ").

(2) The Corporation shall by the name assigned to it by subsection (1), be a body corporate, and shall have perpetual succession and a common seal and may sue and be sued in such name.

(1) The Corporation shall consist of the following members:

(a) four members who appear to the Minister to have wide experience, capacity and recognition in television engineering or other forms of engineering, or legal or financial matters or administration or labour relations or in the field of broadcasting and communication, appointed by such Minister;

(b) one member who shall be a representative of the Sri Lanka Broadcasting Corporation appointed by the Minister for the time being in charge of such Corporation;

(c) one member who shall be a representative of the National Film Corporation appointed by the Minister for the time being in charge of such Corporation; and

(d) one member who shall be a representative of the Ministry of the Minister in charge of the subject of Education appointed by such Minister.

(2) The Minister shall appoint one of the members to be the Chairman of the Corporation.

(3) A person shall be disqualified for being appointed or continuing as, a member of the Corporation

(a) if he is a Member of Parliament; or

(b) if he, directly or indirectly, by himself or by any other person on his behalf or for his use or benefit, holds or enjoys any right or benefit under any contract made by or on behalf of the Corporation, except as a shareholder (other than a director) in any company ; or

(c) if he, directly or indirectly, by himself or by any other person on his, behalf, has any interest or derives any benefit in or from any work being done for the Corporation, except, as a shareholder (other than a director) in any company ; or

(d) if he, directly or indirectly, by himself or by any other person on his behalf is engaged in television broadcasting or the production, marketing or distribution of television programmes except as a shareholder (other than a director) in any company.

(4) Where a member of the Corporation is a shareholder (other than a director) in any company which has entered into any contract with or is doing any work for the Corporation, he shall disclose to the Minister the nature and extent of the shares held by him in such company.

(5) Every member shall, unless he vacates office earlier by death, resignation or removal, hold office for a term of four years and shall, unless removed from office, be eligible for reappointment.

(6) In the event of the death or the vacation of office by any member or his removal from office the Minister may appoint another person in his place. Any person appointed in place of such member shall hold office during the unexpired period of the term of office of the member whom he succeeds,

(7) If the Chairman or any member of the Corporation is temporarily unable to discharge the duties of his office on account of ill health or absence from Sri Lanka or any other cause, the Minister may appoint another person to act in his place.

(8) The Minister may, if he thinks; it expedient to do so, by Order published in the Gazette, remove any member from office without assigning any reason therefor and such removal shall not be called in question in any court.

(9) Any member of the Corporation may at any time resign his office by written communication addressed to the Minister.

(10) No act or proceeding of the Corporation shall be invalid by reason only of the existence of any vacancy amongst its members or any irregularity in the appointment of a member thereof.

(11) Rules may be made under this Act in respect of the meetings of the Corporation, the quorum for and the procedure to be followed at such meetings.

Remuneration4. The members of the Corporation shall be remunerated in such of the manner and at such rates as may be determined by the Minister members of with the concurrence of the Minister in charge of the subject of the Finance. Corporation.

The seal of 5.
the
Corporation.

(1) The seal of the Corporation shall be in the custody of the Corporation.

(2) The seal of the Corporation may be altered in such manner as may be determined by the Corporation.

(3) The seal of the Corporation shall not be affixed to any instrument except in the presence of the Chairman or a member of the Corporation authorized by the Corporation to sign on his behalf and the Director-General of the Corporation or an officer of the Corporation authorized by the Corporation to act on his behalf.

Delegation 6.
of powers of
the
Corporation.

(1) The Corporation may, subject to such conditions as may be specified in writing, delegate to the Director-General any power, duty or function conferred or imposed on or assigned to the Corporation.

(2) Notwithstanding any such delegation, the Corporation may exercise, perform or discharge any such power, duty or function.

PART II

FUNCTIONS, POWERS, AND DUTIES OF THE CORPORATION

Functions of 7.
the
Corporation.

[2,43 of 1988]

(1) The functions of the Corporation shall be

- (a) to carry on a television broadcasting service within Sri Lanka and to promote and develop that service and maintain high standards in programming in the public interest;
- (b) to register persons engaged in the production of television programmes for broadcasting;
- (bb) to register persons who carry on the business of importing, selling, manufacturing or assembling television receiving sets ;
- (c) to exercise supervision and control over television programmes broadcast by the Corporation;
- (d) to exercise supervision and control over foreign and other television crews, producing television programmes for export;
- (e) to exercise supervision and control over the use of video cassettes and the production of programme material on such cassettes for export;
- (f) to advise the Minister in respect of matters relating to television broadcasting; and
- (g) to exercise and perform such powers and duties in relation to television broadcasting as are conferred or imposed on it by or under this Act.

(2) For the exercise of its functions under paragraph (c) of subsection (1), it shall be the duty of the Corporation to satisfy itself that, as far as practicable, the programmes broadcast by the Corporation comply with the following requirements:

(a) that nothing is included in any such programme which offends against good taste or decency or is likely to incite to crime or to lead to disorder or to offend any racial or religious susceptibilities or to be offensive to public feelings;

(b) that the programmes maintain a proper local, regional and international balance and a balance in their subject-matter and a high general standard of quality;

(c) that any news given in the programme (in whatever form) is presented with due accuracy and impartially and with due regard to the public interest.

8. The Corporation may exercise all or any of the following powers:

[3,43 of 1988]

(a) establish, install, and operate television broadcasting stations;

(b) acquire by purchase, lease, sublease, or otherwise any land or interest in land, with or without any building;

(c) erect, alter, or reconstruct any television broadcasting station, or any building or structure on any land belonging to or administered by the Corporation for use in connection with any television broadcasting station or in connection with the exercise of its powers;

(d) with the prior approval of the Minister, dispose of by sale, lease, sublease, or otherwise any land or interest in land;

(e) acquire by purchase or otherwise, any property, rights, or privileges that it considers necessary for the purposes of this Act;

(f) dispose of by sale or otherwise, or turn to account or otherwise deal with, any movable property, rights, or privileges of the Corporation;

(g) with the prior approval of the Minister and subject to such terms and conditions as may be approved, advance money to any person or body of persons whether incorporated or not, carrying on or intending to carry on the business of producing television programmes for broadcasting, whether in conjunction with any other business or not, or give in respect of any advances made to any such person or body as aforesaid by any other person any guarantee, indemnity, or security ;

(h) with the prior approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance, subscribe for, acquire and hold, and dispose of or otherwise deal with, shares or stock in any company, whether incorporated within or outside Sri Lanka, carrying on or intending to carry on the business of providing television programmes for broadcasting whether in conjunction with any other business or not;

(i) use the facilities and equipment of the television broadcasting service in such manner as may be thought fit for the purpose of promoting and assisting in the development and carrying on of those arts and cultural pursuits which are usually included in the purpose of television broadcasting;

(j) take on lease, rent or purchase houses, or purchase sites and erect houses, for the use of its officers ;

(k) publish or arrange for the publication of such periodicals or other publications as it may consider of benefit to any television broadcasting service carried on by the Corporation;

(l) refuse to televise any advertisement in any form the televising of which is not in the public interest;

(m) do all such things as the Corporation considers to be in the interests of the community for the purpose of developing and improving television broadcasting talent;

(n) act in combination or association with any person or body of persons whether incorporated or not, and whether in Sri Lanka or elsewhere, for any of the aforesaid, purposes ;

(o) issue and renew licences under Part IVA for the possession and use of television receiving sets and to appoint agents to issue and renew such licences and to ensure that such licences are been obtained or renewed ; and

(p) call for information and returns in respect of imports, sales, manufacture or assembling of television receiving sets from all persons engaged in the import, sale, manufacture or assembling of television receiving sets.

Appointment of agents. 8A. The Corporation may from time to time appoint any person or body or persons, whether incorporated or not, to be an agent of the Corporation for the purposes of issuing and renewing licences under Part IVA of this Act, and to pay such agent, such remuneration as may be agreed upon between the Corporation and such Agent.

[4,43 of 1988]

PART III
STAFF OF THE CORPORATION

Director 9.
General of
the
corporation.

(1) The Corporation may, with the approval in writing of the Minister, appoint a competent and experienced person in the field of television broadcasting as Director-General :

Provided that the Corporation may, with the approval of the Minister, appoint the Chairman of the Corporation to perform, in addition to his duties, the duties of the Director-General.

(2) The Director-General shall, subject to the general direction of the Corporation on matters of policy, be charged with direction of the business of the Corporation and the exercise, performance and discharge of its powers, duties and functions and the administrative control of the employees of the Corporation.

(3) The Director-General may, with the approval in writing of the Corporation, delegate in writing to any other employee of the Corporation such of his powers, duties or functions as he may, from time to time, consider necessary, and any employee to whom such powers, duties or functions are so delegated shall exercise, perform and discharge such powers, duties and functions subject to the general or special directions of the Director-General.

(4) The Director-General

(a) shall retire from office on reaching the age of sixty years;

(b) may at any time, with the prior approval of the Minister, be removed from office.

(5) If the Director-General is temporarily absent from Sri Lanka or is temporarily unable to perform his duties due to illness or other incapacity, another person may be appointed by the Corporation with the approval in writing of the Minister, to act in place of the Director-General until he is able to resume duties.

Finance 10.
Manager.

(1) The Corporation may appoint a qualified, competent, and experienced person as Finance Manager.

(2) No decision of a financial nature, in respect of amounts not less than one million rupees, shall be taken by the Corporation, unless the Finance Manager submits a financial analysis indicating all the financial

Appointment **11.**
of officers
and
servants.

(1) The Corporation may appoint such other officers and servants as it considers necessary for the efficient discharge of the functions.

(2) At the request of the Corporation any officer in the public service may, with the consent of that officer and the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the staff of the Corporation for such period as may be determined by the Corporation with like consent, or with like consent be permanently appointed to such staff.

(3) Where any officer in the public service is temporarily appointed to the staff of the Corporation, the provisions of subsection (2) of section 13 of the Transport Board Law, No. 19 of 1978, shall, mutatis mutandis, apply to and in relation to him.

(4) Where any officer in the public service is permanently appointed to the staff of the Corporation, the provisions of subsection (3) of section 13 of the Transport Board Law, No. 19 of 1978, shall, mutatis mutandis, apply to and in relation to him.

(5) Where the Corporation employs any person who has agreed to serve the Government for a specified period, any period of service to the Corporation by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such agreement.

(6) At the request of the Corporation any member of the Local Government Service or any other officer or servant of a local authority, may, with the consent of such member, officer or servant and the Local Government Service Advisory Board, or the local authority, as the case may be, be temporarily appointed to the staff of the Corporation for such period as may be determined by the Corporation with like consent or with like consent be permanently appointed to such staff on such terms and conditions including those relating to pension or provident fund rights as may be agreed upon by the Corporation and the Local Government Service Advisory Board or that local authority, as the case may be.

(7) At the request of the corporation any officer or servant of a public Corporation may, with the consent of such officer or servant and the public corporation, be temporarily appointed to the staff of the Corporation for such period as may be determined by the Corporation with like consent, or with like consent be permanently appointed to such staff on such terms and conditions including those relating to pension and provident fund rights, as may be agreed upon by the Corporation and the said public corporation.

(8) Where any person is temporarily appointed to the staff of the Corporation in pursuance of subsection (6) or (7), such person shall be subject to the same disciplinary control as any other member of such staff.

Powers of **12.**
the
Corporation
in regard to
the staff of
the
Corporation.

(1) Subject to the provisions of this Act, the Corporation

(a) dismiss and exercise disciplinary control over the staff of the Corporation ;

(b) fix the wages or salary or other remuneration of such staff;

(c) determine the terms and conditions of the service of such staff; and

(d) establish and regulate provident funds or schemes for the benefit of such staff, and may make contributions to any such fund or scheme.

(2) Rules may be made under this Act in respect of all or any of the makers referred to in subsection (1).

PART IV FINANCE

The Fund of **13.**
the
Corporation.

(1) The Corporation shall have its own Fund.

[5,43 of 1988]

(2) There shall be paid into the Fund of the Corporation

(a) all such sums of money as may be voted from time to time by Parliament for the use of the Corporation;

(b) all such sums of money as may be advanced to the Corporation from time to time by the Minister in charge of the subject of Finance ;

(c) all sums of money received by the Corporation in the exercise, performance and discharge of its powers, duties and functions;

(cc) all such sums as may be credited to the Fund under section 30A ;

(d) such part of the fees received each year for the issue and renewal of television licences as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance

(dd) all sums of money received as fees each year for the issue of Certificates of Registration, under Part IVA of this Act; and.

(e) all other sums of money as are required by this Act or any regulation made thereunder to be paid to such Fund by the Corporation.

(3) There shall be paid out of the Fund of the Corporation all sums of money required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act or any other written law and all such sums of money as are required to be paid out of such Fund by or under this Act.

Borrowing 14.
powers.

(1) The Corporation may, with the consent of the Minister and subject to such terms and conditions as he thinks fit, borrow temporarily, by way of overdraft or other wise, such sums as the Corporation may require for meeting the obligations or discharging its duties under this Act:

Provided that the aggregate of the amounts outstanding in respect of any temporary loans raised by the Corporation under this subsection shall not exceed such sum as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

(2) The Corporation may, with the consent of the Minister given with the concurrence of the Minister in charge of the subject of Finance, borrow money otherwise than by way of a temporary loan by the issue of stock (hereinafter referred to as "Television Corporation Stock") for any of the following purposes:

- (a) the provision of money for meeting any expenses incurred in connection with any work involving the installation, establishment, operation and maintenance of any apparatus required for television broadcasting and of television broadcasting stations;
- (b) the acquisition of any land or interest in land for the above-mentioned purposes;
- (c) the redemption of any stock issued or any loan raised by the Corporation ;
- (d) the repayment of any money temporarily borrowed under subsection (1).

(3) Television Corporation Stock shall be issued, transferred, dealt with, redeemed and cancelled in accordance with such terms and conditions as may be determined by the Corporation with the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance.

Investments 15. All moneys of the Corporation which are not immediately of required for the discharge of the functions of the Corporation the under this Act may be invested by the Corporation in such Corporation. manner or in such securities, as may be authorized by the Minister with the concurrence of the Minister in charge of the subject of Finance. The Corporation may make investments in connection with such activities as are directly connected with television broadcasting subject to the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance.

Financial **16.**
year and the
audit of
accounts of
the
Corporation.

(1) The financial year of the Corporation shall be the calendar year.

(2) The Corporation shall cause proper books or accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to the audit of the accounts of the Corporation.

PART IVA

ISSUE OF LICENCES AND REGISTRATION[§ 8,43 of 1988]

Prohibition **16A.**
on the
possession
and use of
television
receiving
sets.

(1) On or after the relevant date no person shall possess or use any television receiving set except under the authority of a licence issued in that behalf by the Corporation.

[8,43 of 1988]

(2) The requirements of subsection (1) shall not apply

(a) to the possession and use of a television receiving set by any person at a school, a Higher Educational Institution or other institution which the Minister may specify by Order published in the Gazette, for the purposes of this section, having regard to the fact that social or educational studies of benefit to the community are being carried on at such institution;

(b) to the possession and use of a television receiving set by any importer, seller, manufacturer or an assembler of television receiving sets who is registered and holds a Certificate of Registration issued under section 16M of this Act, in the course of his business as such importer, seller, manufacturer or assembler;

(c) to the possession and use of a television receiving set by a repairer of television receiving sets in the course of his business as such repairer;

(d) to the use by any person, of a television receiving set with the permission, express or implied, or on the instructions, of the holder of a licence issued under this Part in respect of that set and at the premises specified in the licence ;

(e) to the possession and use of a television receiving set by any person employed in the Corporation or in any other private television broadcasting station established and maintained under a licence issued by the Minister, under section 28 for the purposes of that Corporation or that station;

(3)

(a) Where the Minister considers that several television, receiving sets are likely to be used in any category of premises he may, by Order published in the Gazette, declare that the provisions of this section shall apply in respect of that category of premises.

(b) The owner of any premises included in a category of premises to which this section applies, may in lieu of applying for a licence in respect of every television set installed in such premises, apply for a licence in respect of these premises. Every application made under this subsection shall be accompanied by the prescribed fee. Different fees may be prescribed in respect of different categories of premises, having regard to the number of television receiving sets likely to be used in that category of premises.

(c) The provisions of sections 16C, 16D 16E and 18F shall, mutatis mutandis, apply to and in relation to, the application for issue and renewal of, licences issued under sub section (2).

(d) Where a licence issued under this section in respect of any premises is in force, the possession and use of a television receiving set by any person on such premises shall be deemed to be under the authority of a licence issued under section 16c. For the purposes of this section " Higher | Educational Institution" shall have the same meaning as in the Universities Act, No. 16 of 1978.

Right of **16B.** Notwithstanding the provisions of section 16A, any person persons who who immediately prior to the relevant date was having in his were possession a television receiving set, shall be entitled to possess possessing and use such television receiving set, without a licence in that television behalf ' for a period of three months commencing from the receiving relevant date. relevant

Issue of a **16C.**

(1) The Corporation or any agent shall, on application made therefor, in such form as may be prescribed, containing the prescribed particulars, and on payment of the prescribed fee, issue a licence in respect of a television receiving set, authorizing the applicant to possess and use such television receiving set.

(2) Every application for a licence in respect of any television receiving set under this Part, shall be made to the Corporation or to any agent, in the prescribed form and contain the prescribed particulars.

(3) Every licence issued under this Part shall be

(a) in such form as may be prescribed ;

(b) valid for a period of one year; and

(c) renewable after the expiration of the period specified in the licence.

Terms and **16D.** Every licence issued in respect of any television receiving conditions of set under this Part shall be subject to such terms and conditions the licence. as may be prescribed with regard to the use and transfer of that licence.

Any change **16E.** Every holder of a licence shall, within thirty days of any in particulars change in the particulars to in his application for a licence issued in the under this Part, inform, the Corporation or any agent in writing of application such change.

Renewal of **16F.**
licence.

(1) The Corporation or any agent may, on application made therefor, in such form as may be prescribed, and on payment of the prescribed fee renew any licence, issued under section 16c, and the licence which is renewed shall be valid for a period of one year from the date specified therein.

(2) Every application for a renewal of a licence under this Part, shall be made, to the Corporation or any agent in the prescribed form within three months of the date of expiry specified therein.

PART V
GENERAL

Registration 17.

of persons engaged in the production and marketing of television programme material for broadcasting.

(1) No person shall on or after the appointed date, engage in the production and marketing of television programme material for broadcasting unless he has registered himself with the Corporation as hereinafter provided:

Provided, however, that any such person who has engaged in such production and marketing prior to the appointed date, may, without being so registered, engage in such production and marketing for a period not exceeding six months from the appointed date.

(2) Every application for registration shall be in the prescribed form and shall be accompanied by such documents and such fee as may be prescribed.

(3) The Corporation may refuse to register the applicant on application made under subsection (2) or may cancel an existing registration if the applicant or the registered person, as the case may be, is unable to maintain the requisite standards that would be required in the public interest.

(4) Where any person has been registered under this Act the Corporation shall issue to such person a certificate of registration in the prescribed form. Every such certificate shall contain the conditions that may be prescribed for ensuring the standards referred to in subsection (3).

(5) Where any person to whom a certificate is issued under this Act, acts in violation of any conditions set out therein the Corporation may make order canceling his certificate.

(6) Any person aggrieved by an order made under subsection (5) may appeal against the order to the Secretary to the Ministry of the Minister (hereinafter referred to as the "Secretary") within thirty days of the making of the order. The decision of the Secretary on any such appeal shall be final.

Corporation 18. The Corporation may from time to time enter into contracts of insurance, insuring employees of the Corporation against personal accident arising out of and in the course of the exercise or performance by them of any power or duty conferred or imposed upon the Corporation under this Act and may pay the premium payable in respect of any such contracts. The categories of employees to be so insured shall be determined by the Corporation having regard to the risk undertaken by such categories of employees.

Protection **19.**
for action
taken under
this Act, or
on the
direction of
the
Corporation.

(1) No suit or prosecution shall lie

(a) against the Corporation for any act which in good faith is done or purported to be done by the Corporation under this Act or any regulation made thereunder; or

(b) against any member, officer, servant or agent of the Corporation for any act which in good faith is done or purported to be done by him under this Act or any regulation made thereunder, or on the direction of the Corporation.

(2) Any expenses incurred by the Corporation in any suit or prosecution brought by or against the Corporation before any court shall be paid out of the Fund of the Corporation, and any costs paid to, or recovered by, the Corporation in any such suit or prosecution shall be credited to the Fund of the Corporation.

(3) Any expenses incurred by any such person as is referred to in paragraph (b) of subsection (1) in any suit or prosecution brought against him before any court in respect of any act which is done or purported to be done by him under this Act or any regulation made thereunder or on the direction of the Corporation shall, if the court holds that such act was done in good faith, be paid out of the Fund of the Corporation unless such expenses are recovered by him in such suit or prosecution.

Acquisition **20.** Where any immovable property is required to be acquired for
of any purpose of the business of the Corporation, and the Minister,
immovable by Order published in the Gazette, approves of the proposed
property acquisition, that property shall be deemed to be required for a
under the public purpose and may accordingly be acquired under the Land
Land Acquisition Act and be transferred to the Corporation.
Acquisition
Act for the
Corporation.

State property both movable and immovable property of the State shall be made available to the Corporation. the State shall be made by the Minister under the preceding provisions of this section without the concurrence of the Minister in charge of the subject of State Lands: further that no Order accepting any movable property of Corporation. the State shall be made by the Minister under the preceding provisions of this section without the concurrence of the Minister having control over such property.

Magistrate **21A.**

to grant warrants

[7,43 of 1988]

(1) Where a Magistrate is satisfied on information received on oath that there is reasonable ground to believe that in contravention of the provisions of this Act, the person against whom the information is given

(a) is possessing and using a television receiving set;

(b) is carrying on the business of importing, selling, manufacturing or assembling television receiving sets, in any premises within his jurisdiction such, Magistrate may, grant a search warrant to any officer of the Corporation to enter such premises, to make inquiries from any person found thereon and to seize any television receiving set in connection with which such contravention is committed.

(2) When an officer of the Corporation seizes any television receiving set under subsection (1), he shall produce such television receiving set within a period of seven days from the date of seizure before the Magistrate's Court within whose jurisdiction that television receiving set is seized, and upon the production of that television receiving set, the court shall make such order, as it may deem fit relating to the custody of that television receiving set.

Minister to give directions. **22.** The Minister may from time to time give general or special directions in writing as to the performance of the duties and the exercise of the powers of the Corporation and it shall be the duty of the Corporation to comply with such directions.

Writ not to **23.** No writ against person or property shall be issued against a
 issue against member of the Corporation in any action brought against the
 person or Corporation.
 property a
 member of
 the
 Corporation
 .
 Contracts. **24.**

(1) Contracts on behalf of the Corporation may be made as follows :

(a) a contract which if made between private persons would be by law required to be in writing, may be made on behalf of the Corporation in writing under the common seal of the Corporation ;

(b) a contract which if made between private persons is by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the Corporation in writing signed by any person or persons duly authorized thereto as hereinafter provided; and

(c) a contract which if made between private persons would by law be valid although made by parol only and not reduced into writing, may be made by parol on behalf of the Corporation by any person or persons duly authorized thereto as hereinafter provided.

(2) A contract made according to this section shall be effectual in law and shall bind the Corporation and all other parties thereto.

(3) A contract made according to this section may be varied or discharged in the same manner in which it is authorized by this section to be made.

The **25.** The Corporation shall be deemed to be a scheduled
 Corporation institution within the meaning of the Bribery Act, and the
 deemed to provisions of that Act shall be construed accordingly.
 be a
 scheduled
 institution
 within the
 meaning of
 the Bribery
 Act

Members 26. All members, officers and servants of the Corporation shall be
and deemed to be public servants within the meaning of and for the
employees purposes of the Penal Code.
of the
Corporation
deemed to.
be public
servants.

Rules-made 27.

“by the
Corporation.

(1) The Corporation may make rules in respect of all or any matters for which rules are authorized or required by this Act to be made.

(2) No rule made by the Corporation under subsection (1) shall have effect until it has been approved by the Minister and notification of such approval is published in the Gazette.

Prohibition 28.

on
maintenance
of television
broadcasting
stations.

(1) No person other than the Corporation established under this Act shall maintain a television broadcasting station unless such person has obtained a licence from the Minister.

(2) The Minister may in consultation with the Corporation issue to any person a licence for the establishment and maintenance of a private television broadcasting station.

(3) No licence shall be issued by the Minister unless he is satisfied that the person applying for a licence has such technical, financial and professional qualifications as may reasonably be required for the purpose of establishing and maintaining a private broadcasting station.

Establishment 29.

of
committees
to advise the
Corporation
on matters
relating to
television
broadcasting.

(1) The Minister may make regulations for the purposes of the establishment of one or more consultative committees to advise the Corporation on such matters relating to television broadcasting as may be referred to the committees by the Corporation.

(2) Regulations made under subsection (1) may prescribe the remuneration payable to the members of the consultative committee or committees.

Offences **30.**

(1) Any person who

[8,43 of 1988]

(a) knowingly makes any false or incorrect statement in any return or other document made or furnished under or for the purposes of this Act or of any regulation made thereunder; or

(b) fails or refuses to furnish any information or return required by this Act, or any regulation made thereunder, to be furnished by him; or

(c) willfully resists or obstructs any officer in the exercise, discharge or performance of any power, function or duty conferred or imposed upon that person by or under this Act, or any regulation made thereunder; or

(d) contravenes or fails to comply with any provision of this Act or regulation made under this Act,

shall be guilty of an offence and shall, on conviction after trial before a Magistrate, be liable unless otherwise expressly enacted, provided to a fine not exceeding five hundred rupees.

Two-thirds **30A.** Two-third of all fines imposed by the offence under this Act of fine when when recovered shall be credited to the Fund of the Corporation.
recovered to
be credited
to the Fund
of the
Corporation.

[9,43 of 1988]

Regulations, 31.

(1) The Minister may make regulations relating to all or any of the matters prescribed or in respect of which regulations are required or authorized to be made.

(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified therein.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Every regulation which is not so approved shall be deemed to be rescinded as from date of disapproval, but without prejudice to the validity of anything previously done thereunder.

(4) Notification of the date on which any regulation shall be deemed to be rescinded shall be published in the Gazette.

Interpretation.32. In this Act, unless the context otherwise require

[10,43 of 1988]

” prescribed” means prescribed by regulation made by the Minister;

” agent ” in any context relating to a licence under Part IVA of this Act means any person or body of persons, whether incorporated or not, appointed to be such agent by the Corporation, under section 8A of this Act;

” premises ” means any building or part of a building together with the land appertaining thereto ;

” private television broadcasting station” means a television station established or operated by any person other than the Corporation ;

” relevant date” means the date on which Part IV A of this Act comes into operation ;

” television broadcasting” includes cable television but excludes the broadcasting of radio programmes;

” television programme ” or ” programmes ” includes any signal, announcement, item, communication, picture or other matter broadcast or intended to be broadcast from a television broadcasting station for reception by the public.

” television receiving set ” means an equipment used to receive the transmitted modulated radio frequency signals and to produce synchronized visual images and sound.

