

A BILL
intituled

An Act to amend the Pertubuhan Berita Nasional
Malaysia Act 1967.

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BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Pertubuhan Berita Nasional Malaysia (Amendment) Act 1990. Short title.

2. The second paragraph of the preamble to the Pertubuhan Berita Nasional Malaysia Act 1967, which in this Act is referred to as "the principal Act", is amended by deleting the words "non-profit making" and "and be guided by the declarations of the United Nations Conference on Freedom of Information of 1948". Amendment of second paragraph of the preamble. Act 19/67.

3. Section 2 of the principal Act is amended— Amendment of section 2.
 - (a) by substituting for the full stop appearing at the end of the definition of "Minister" a semicolon; and
 - (b) by inserting, immediately after the definition of "Minister", the following new definition:

' "news or news material" includes international, regional and national—

 - (a) news;
 - (b) photographs;

- (c) information;
- (d) features; and
- (e) economic, commodity and financial data,

in whatever form or manner.'

Amendment
of section 3.

4. Section 3 of the principal Act is amended—

- (a) by substituting for subsection (3) the following:

"(3) Bernama shall have the exclusive right to receive into the Federation, news or news material from foreign news agencies and other organisations dealing with the news or news material, through such arrangements as subscription, payment, news exchange or other means."; and

- (b) by inserting, immediately after subsection (3), the following new subsections (4) and (5):

"(4) Bernama shall arrange for the distribution of the news or news material received pursuant to subsection (3) to subscribers in the Federation, on such terms or conditions as shall be prescribed by Bernama.

(5) Subsections (3) and (4) shall not prejudice the right of the Department responsible for broadcasting, and any organisation approved by the Minister from time to time, to receive, without reference whatsoever to Bernama, visual news and programme materials directly from any source outside the Federation."

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(AMENDMENT)

5. The principal Act is amended by inserting, ^{New section3A} immediately after section 3, the following new section 3A:

^{"Power to enter into any arrangement for sharing of profits, etc.} 3A. Bernama, with the approval of the Minister and the concurrence of the Minister of Finance, may—

(a) enter into any arrangement for sharing of profits, union of interests, co-operation or joint-venture with any person or body of persons; or

(b) establish or promote the establishment and expansion of companies under the Companies Act 1965."

Act 125.

6. Section 4 of the principal Act is amended by deleting ^{Amendment of section 4.} the words "information," and "or features" appearing in paragraphs (a) and (b) of subsection (1).

7. Section 7 of the principal Act is amended by ^{Amendment of section 7.} substituting for paragraph (d) of subsection (1) the following:

"(d) the Vice-Chancellor of any one of the Universities in the Federation; and".

EXPLANATORY STATEMENT

This Bill seeks to amend the Pertubuhan Berita Nasional Malaysia Act 1967.

2. *Clause 2* seeks to amend the preamble to the Act in order to enable Bernama to stop functioning as a non-profit making organisation. The amendment also seeks to delete the provision providing that Bernama should be guided by the declarations of the United Nations Conference on Freedom of Information of 1948.

3. *Clause 3* seeks to provide for a definition of the term "news or news material".

4. *Clause 4* seeks to amend section 3 of the Act to provide that Bernama shall have the exclusive right to receive news or news material into the Federation and thereafter to arrange for the distribution of the news or news material to subscribers on such terms or conditions as may be prescribed by Bernama.

5. *Clause 5* seeks to provide power for Bernama, with the approval of the Minister of Information and the concurrence of the Minister of Finance, to enter into any arrangement for profit-sharing, etc., with any person or to establish or promote the establishment and expansion of companies.

6. *Clause 6* seeks to amend section 4 of the Act where the words "information" and "or features" become redundant as a result of the introduction of the definition of "news or news material".

7. *Clause 7* seeks to amend section 7 of the Act to provide that a Vice-Chancellor of any one of the Universities in Malaysia shall be appointed as a member of the Supervisory Council.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure. [PN. (U²) 1274.]