
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Local Digital Television Programme Services Order 2012

Citation and commencement

1. This Order may be cited as the Local Digital Television Programme Services Order 2012 and comes into force on the day after the day on which it is made.

Interpretation

2. In this Order—

“the 1996 Act” means the Broadcasting Act 1996(1);

“the 2003 Act” means the Communications Act 2003;

“digital programme service” has the meaning given in section 1(4)(2) of the 1996 Act;

“local digital television programme service” has the meaning given by article 3.

Description of a local digital television programme service

3.—(1) A local digital television programme service is a digital programme service of the following description —

- (a) it is provided in digital form with a view to its being included in a television multiplex service; and
- (b) it falls within paragraphs (2) and (5).

(2) A service falls within this paragraph if it is a service in relation to which all of the following conditions are satisfied—

- (a) it is intended for reception only within a particular area or locality;
- (b) its provision meets, or would meet, the needs of the area or locality where it is received;
- (c) its provision is or would be likely to broaden the range of television programmes available for viewing by persons living or working in that area or locality; and
- (d) its provision is or would be likely to increase the number and range of the programmes about that area or locality that are available for such viewing, or to increase the number of programmes made in that area or locality that would be so available.

(3) A service is to be taken for the purposes of paragraph (2) to meet the needs of an area or locality if, and only if—

- (a) its provision brings social or economic benefits to that area or locality, or to different categories of persons living or working in that area or locality; or
- (b) it caters for the tastes, interests and needs of some or all of the different descriptions of persons living or working in the area or locality (including, in particular, tastes, interests and needs that are of special relevance in the light of the descriptions of persons who do so live and work).

(1) 1996 c. 55

(2) Subsection (4) was amended by the Communications Act 2003, s 360(3), Sch 15, Pt 2, para 74(1) and (3)

(4) In paragraphs (2) and (3) the references to persons living or working in an area or locality include a reference to persons undergoing education or training in that area or locality.

(5) A service falls within this paragraph if it includes or would include a range of programmes which—

- (a) facilitate civic understanding and fair and well-informed debate through coverage of local news and current affairs;
- (b) reflect the lives and concerns of communities and cultural interests and traditions in that area or locality; and
- (c) include content that informs, educates and entertains and is not otherwise available through a digital television programme service which is available across the United Kingdom.

Application of broadcasting legislation

4. The provisions of Part 1 of the 1996 Act and Part 3 of the 2003 Act have effect in relation to a local digital television programme service with the modifications set out in the Schedule.

Jeremy Hunt

Secretary of State

Department for Culture, Media and Sport

Date