



Broadcasting Act 1981

1981 CHAPTER 68

PART I

THE INDEPENDENT BROADCASTING AUTHORITY

Provisions applying to all contracts for programmes

19 Duration of contracts for programmes and prior consultation etc.

(1) The Authority shall not—

- (a) enter into any contract with a programme contractor for the provision of programmes for a period exceeding the relevant maximum period; or
- (b) extend any contract with a programme contractor so that the period for which programmes are provided under the contract exceeds the relevant maximum period;

but, subject to subsection (5), nothing in this subsection precludes the Authority from entering into successive contracts with the same programme contractor.

(2) For the purposes of subsection (1) the relevant maximum period is—

- (a) ten years in the case of a contract taking effect on or after 1st January 1980 for the provision of local sound broadcasts in a locality—
 - (i) in which such broadcasts have not previously been provided by a programme contractor, or
 - (ii) in which such broadcasts have previously been so provided, but only in so much of it as in the opinion of the Authority does not amount to a substantial part of it; and

[^{F1}(aa) [^{F2}fifteen] years in the case of a contract for the provision of television programmes for broadcasting in a DBS service; and]

- (b) eight years in every other case.

[^{F3}(2A) But in the case of a contract to which this subsection applies the relevant maximum period for the purposes of sub-section (1) is the period expiring on 31st December 1992.

*Changes to legislation: There are currently no known outstanding effects
 for the Broadcasting Act 1981, Section 19. (See end of Document for details)*

- (2B) Subsection (2A) applies to a contract—
- (a) which is for the provision of television programmes for broadcasting otherwise than in a DBS service or an additional teletext service, and
 - (b) under which at least one of the programmes is to be provided before 1st January 1993]
- (3) Before entering into any contract with a programme contractor for the provision of programmes in any area or locality, the Authority shall take such steps as appear to them appropriate (including if they think fit the holding of public meetings)—
- (a) to ascertain the opinions of the public in that area or locality about the service proposed to be provided there by the Authority, and
 - (b) to encourage the making of comments and suggestions about that service by members of the public in that area or locality,
- and shall take into account those opinions and any such comments and suggestions received by them.
- (4) Before entering into any contract with a programme contractor for the provision of programmes in any area or locality, the Authority shall publish, in such manner as they think fit, a notice—
- (a) stating that they propose to enter into a contract for the provision of television programmes or, as the case may be, local sound broadcasts in that area or locality;
 - (b) stating the date from which it is proposed that the contract will take effect; and
 - (c) inviting applications for the contract.
- (5) Where the Authority and a programme contractor enter into a succession of contracts for the provision of programmes, each succeeding contract being entered into in pursuance of a provision to that effect in a preceding contract—
- (a) each succeeding contract entered into shall be treated for the purposes of subsection (1) as an extension, or further extension, of the first of those contracts; and
 - (b) the Authority need not comply with subsection (3) or (4) in relation to any of those contracts other than the first.

Textual Amendments

- F1** S. 19(2)(aa) inserted by Cable and Broadcasting Act 1984 (c. 46, SIF 96), ss. 38(1), 59(4)
F2 Word substituted by Broadcasting Act 1987 (c. 10, SIF 96), s. 1(2)
F3 S. 19(2A)–(2B) inserted by Broadcasting Act 1987 (c. 10, SIF 96), s. 1(3)

Modifications etc. (not altering text)

- C1** S. 19(1) to (2B) modified (*temp.* ending with 31.12.1992) by Broadcasting Act 1990 (c. 42, SIF 96), s. 129, Sch. 11 Pt. II paras. 2(2)(a), 5
C2 S. 19(1) to (2B) modified by Broadcasting Act 1990 (c. 42, SIF 96), ss. 87(6), 129, Sch. 11 Pt. II para. 2(3)(a)(4)
C3 S. 19(4) excluded by Cable and Broadcasting Act 1984 (c. 46, SIF 96), s. 46(1)(2)

Changes to legislation:

There are currently no known outstanding effects for the Broadcasting Act 1981, Section 19.