



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART IX

#### COPYRIGHT AND RELATED MATTERS

#### **176 Duty to provide advance information about programmes.**

- (1) A person providing a programme service to which this section applies must make available in accordance with this section information relating to the programmes to be included in the service to any person (referred to in this section and Schedule 17 to this Act as “the publisher”) wishing to publish in the United Kingdom any such information.
- (2) The duty imposed by subsection (1) is to make available information as to the titles of the programmes which are to be, or may be, included in the service on any date, and the time of their inclusion, to any publisher who has asked the person providing the programme service to make such information available to him and reasonably requires it.
- (3) Information to be made available to a publisher under this section is to be made available as soon after it has been prepared as is reasonably practicable but, in any event—
  - (a) not later than when it is made available to any other publisher, and
  - (b) in the case of information in respect of all the programmes to be included in the service in any period of seven days, not later than the beginning of the preceding period of fourteen days, or such other number of days as may be prescribed by the Secretary of State by order.
- (4) An order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The duty imposed by subsection (1) is not satisfied by providing the information on terms, other than terms as to copyright, prohibiting or restricting publication in the United Kingdom by the publisher.

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*Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 176. (See end of Document for details)*

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- (6) Schedule 17 applies to any information or future information which the person providing a programme service to which this section applies is or may be required to make available under this section.
- (7) For the purposes of this section and that Schedule, the following table shows the programme services to which the section and Schedule apply and the persons who provide them or are to be treated as providing them.

<b>Programme service</b>	<b>Provider of service</b>
<b><i>Services other than services under the Act</i></b>	
Television and national radio services provided by the BBC for reception in the United Kingdom	The BBC
<b><i>Services under the Act</i></b>	
Television programme services subject to <sup>F1</sup> regulation by OFCOM]	The person licensed to provide the service
<sup>F2</sup> The public television services of the Welsh Authority (within the meaning of Part 2 of Schedule 12 to the Communications Act 2003)]	The Authority
Any national service (see <sup>F3</sup> section 126(1)) subject to regulation by <sup>F4</sup> OFCOM] <sup>F5</sup> , any simulcast radio service (within the meaning of Part II of the Broadcasting Act 1996), and any national digital sound programme service (within the meaning of that Part of that Act) subject to regulation by <sup>F4</sup> OFCOM]]	The person licensed to provide the service
<b><i>Services provided during interim period only</i></b>	
Television broadcasting services provided by the Independent Television Commission in accordance with Schedule 11, other than Channel 4	The programme contractor
Channel 4, as so provided	The body corporate referred to in section 12(2) of the Broadcasting Act 1981

- (8) This section does not require any information to be given about any advertisement.

#### **Textual Amendments**

- F1** Words in s. 176(7) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 60\(a\)](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)
- F2** Words in s. 176(7) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 60\(b\)](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

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**Changes to legislation:** *There are currently no known outstanding effects for the Broadcasting Act 1990, Section 176. (See end of Document for details)*

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- F3** Words in s. 176(7) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 60\(c\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F4** Words in s. 176(7) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 60\(d\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

**Changes to legislation:**

There are currently no known outstanding effects for the Broadcasting Act 1990, Section 176.