



Broadcasting Act 1990

1990 CHAPTER 42

PART I

INDEPENDENT TELEVISION SERVICES

CHAPTER V

ADDITIONAL SERVICES PROVIDED ON TELEVISION BROADCASTING FREQUENCIES

50 Applications for additional services licences

- (1) Where the Commission propose to grant a licence to provide additional services they shall publish, in such manner as they consider appropriate, a notice—
 - (a) stating that they propose to grant such a licence;
 - (b) specifying—
 - (i) the television broadcasting service or services on whose frequency or frequencies the services are to be provided, and
 - (ii) (subject to the approval of the Secretary of State) the extent and nature of the spare capacity which is to be allocated by the licence;
 - (c) inviting applications for the licence and specifying the closing date for such applications; and
 - (d) specifying—
 - (i) the fee payable on any application made in pursuance of the notice, and
 - (ii) the percentage of qualifying revenue for each accounting period that would be payable by an applicant in pursuance of section 52(1)(c) if he were granted the licence.
- (2) The Commission may, if they think fit, specify under subsection (1)(d)(ii)—
 - (a) different percentages in relation to different accounting periods falling within the period for which the licence would be in force;
 - (b) a nil percentage in relation to any accounting period so falling.

Status: This is the original version (as it was originally enacted).

- (3) Any application made in pursuance of a notice under this section must be in writing and accompanied by—
 - (a) the fee specified in the notice under subsection (1)(d)(i);
 - (b) a technical plan indicating—
 - (i) the nature of any additional services which the applicant proposes to provide, and
 - (ii) so far as known to the applicant, the nature of any additional services which any other person proposes to provide in accordance with section 49(5);
 - (c) the applicant's cash bid in respect of the licence; and
 - (d) such information as the Commission may reasonably require as to the applicant's present financial position and his projected financial position during the period for which the licence would be in force.
- (4) At any time after receiving such an application and before determining it the Commission may require the applicant to furnish additional information under subsection (3)(b) or (d).
- (5) Any information to be furnished to the Commission under this section shall, if they so require, be in such form or verified in such manner as they may specify.
- (6) The Commission shall, as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications, publish in such manner as they consider appropriate—
 - (a) the name of every person who has made an application to them in pursuance of the notice;
 - (b) particulars of the technical plan submitted by him under subsection (3)(b); and
 - (c) such other information connected with his application as the Commission consider appropriate.
- (7) The provisions of this section and sections 51 and 53 shall, in relation to the teletext service referred to in section 49(2), have effect subject to the provisions of Schedule 5 to this Act.