

## SCHEDULES

### SCHEDULE 10

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART I

##### AMENDMENTS OF BROADCASTING ACT 1990 RELATING TO DIGITAL TERRESTRIAL BROADCASTING

- 1 (1) Section 2 of the 1990 Act (regulation by Commission of provision of television services) is amended as follows.
- (2) In subsection (1)—
- (a) after “this Part” there is inserted “and Part I of the Broadcasting Act 1996”, and
  - (b) after paragraph (b) there is inserted—
    - “(c) multiplex services (as defined by section 1(1) of the Broadcasting Act 1996) which are provided from places in the United Kingdom by persons other than the BBC, and
    - (d) digital additional services (as defined by section 24(1) of the Broadcasting Act 1996) which are provided from places in the United Kingdom by persons other than the BBC”.
- (3) In subsection (2)—
- (a) in paragraph (a) after “Part II” there is inserted “and under Part I of the Broadcasting Act 1996”, and
  - (b) in paragraph (b)—
    - (i) after “this Part” there is inserted “and Part I of the Broadcasting Act 1996”,
    - (ii) after “television programme services” there is inserted “and multiplex services (as defined by section 1(1) of that Act)”, and
    - (iii) for “such services” there is substituted “television programme services.”
- (4) In subsection (4), in the definition of “television programme service”, after paragraph (c) there is inserted—
- “or
- (d) a digital programme service (as defined by section 1(4) of the Broadcasting Act 1996).”
- (5) At the end of subsection (5) there is inserted “but not including a restricted service (as defined by section 42A) or a multiplex service (as defined by section 1(1) of the Broadcasting Act 1996)”.

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*Status: This is the original version (as it was originally enacted).*

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- 2 In section 13 of the 1990 Act (prohibition on providing television services without a licence), in subsection (1)—
- (a) for “or (b)” there is substituted “, (b), (c) or (d)”, and
  - (b) after “this Part” there is inserted “or Part I of the Broadcasting Act 1996”.
- 3 In section 69 of the 1990 Act (frequency planning and development), in subsection (4), after “Part II” there is inserted “or Part I of the Broadcasting Act 1996”.
- 4 In section 72 of the 1990 Act (local delivery services), in subsection (2)—
- (a) after paragraph (c) there is inserted—
    - “(cc) any digital programme service (as defined by section 1(4) of the Broadcasting Act 1996);”, and
  - (b) at the end there is inserted “and
    - (f) any digital sound programme service (as defined by section 40(5) of the Broadcasting Act 1996).”
- 5 In section 84 of the 1990 Act (regulation by Authority of independent radio services), in subsection (1)—
- (a) after “this Part” there is inserted “and Part II of the Broadcasting Act 1996”, and
  - (b) after paragraph (c) there is inserted—
    - “(d) radio multiplex services (as defined by section 40(1) of the Broadcasting Act 1996) which are provided from places in the United Kingdom by persons other than the BBC;
    - (e) digital sound programme services (as defined by section 40(5) of that Act) which are provided from places in the United Kingdom by persons other than the BBC; and
    - (f) digital additional services (as defined by section 63(1) of that Act) which are provided from places in the United Kingdom by persons other than the BBC;”.
- 6 In section 85 of the 1990 Act (licensing functions of Authority), in subsection (3)—
- (a) after “independent radio services” there is inserted “and services falling within section 84(1)(d), (e) and (f)”, and
  - (b) in paragraph (a) after “licensed services” there is inserted “(including digital sound programme services licensed under Part II of the Broadcasting Act 1996)”.
- 7 In section 97 of the 1990 Act (prohibition on providing independent radio services without a licence), in subsection (1)—
- (a) after “independent radio service” there is inserted “or any service falling within section 84(1)(d), (e) or (f)”, and
  - (b) after “this Part” there is inserted “or Part II of the Broadcasting Act 1996”.
- 8 In section 112 of the 1990 Act (licensable sound programme services), in subsection (2)(a), after “sound broadcasting service” there is inserted “or a radio multiplex service (as defined by section 40(1) of the Broadcasting Act 1996)”.
- 9 In section 126 of the 1990 Act (interpretation of Part III), at the end of the definition of “sound broadcasting service” there is inserted “but does not include a radio multiplex service (as defined by section 40(1) of the Broadcasting Act 1996)”.

- 10 In section 176 of the 1990 Act (duty to provide advance information about programmes), in subsection (7), in the first column of the table—
- (a) after “Welsh Authority” there is inserted “and the service referred to in section 57(1A)(a)”, and
  - (b) after “Radio Authority” there is inserted “, 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 the Radio Authority”.
- 11 In section 201 of the 1990 Act (meaning of “programme service”), after paragraph (b) there is inserted—
- “(bb) any digital sound programme service (within the meaning of Part II of the Broadcasting Act 1996)”.