



Broadcasting Act 1996

1996 CHAPTER 55

PART II

DIGITAL TERRESTRIAL SOUND BROADCASTING

Radio multiplex services

50 Local radio multiplex licences.

(1) Where—

- (a) the BBC have given their consent to proposals made to them under subsection (3) of section 49, or
- (b) [^{F1}OFCOM have] made a determination under subsection (4) of that section, [^{F2}OFCOM] shall publish, in such manner as they consider appropriate, a notice under subsection (2).

(2) A notice under this subsection is a notice—

- (a) stating that [^{F2}the Authority] propose to grant a local radio multiplex licence,
- (b) specifying the frequency on which the service is to be provided,
- (c) specifying, in such manner as [^{F2}OFCOM] consider appropriate, the area or locality in the United Kingdom in which it is to be available,
- (d) stating whether in pursuance of a [^{F3}determination under section 49(4)] any digital capacity on the frequency in that area or locality is to be reserved for the broadcasting in digital form of one or more BBC radio services and, if so, specifying the capacity reserved and the identity of the BBC radio services concerned,
- (e) inviting applications for the licence and specifying the closing date for such applications, and
- (f) specifying the fee payable on any application made in pursuance of the notice.

(3) When publishing a notice under subsection (2), [^{F2}OFCOM] —

Changes to legislation: Broadcasting Act 1996, Section 50 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) shall publish with the notice general guidance as to requirements to be met by proposals as to the matters referred to in subsection (4)(b)(i) and (ii), and
 - (b) may publish with the notice such other general guidance as they consider appropriate.
- (4) Any application made in pursuance of a notice under subsection (2) must be in writing and accompanied by—
- (a) the fee specified in the notice under subsection (2)(f),
 - (b) a technical plan relating to the service which the applicant proposes to provide and indicating—
 - (i) the parts of the area or locality specified under subsection (2)(c) which would be within the coverage area of the service,
 - (ii) the timetable in accordance with which that coverage would be achieved, and
 - (iii) the technical means by which it would be achieved,
 - (c) the applicant's proposals as to the number of digital sound programme services (other than BBC services) to be broadcast and as to the characteristics of each of those services,
 - (d) the applicant's proposals as to the timetable in accordance with which the broadcasting of each of those services would begin,
 - [^{F4}(da) the applicant's proposals as to the broadcasting of television licensable content services,]
 - (e) the applicant's proposals as to the broadcasting of digital additional services,
 - (f) such information as [^{F2}OFCOM] 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, and
 - (g) such other information as [^{F2}OFCOM] may reasonably require for the purpose of considering the application.
- (5) At any time after receiving such an application and before determining it [^{F2}OFCOM] may require the applicant to furnish additional information under any of paragraphs (b) to (g) of subsection (4).
- (6) Any information to be furnished to [^{F2}OFCOM] under this section shall, if they so require, be in such form or verified in such manner as they may specify.
- (7) [^{F2}OFCOM] shall, as soon as reasonably practicable after the date specified in a notice under subsection (2) as the closing date for applications, publish in such manner as they consider appropriate—
- (a) the following matters, namely—
 - (i) the name of every person who has made an application to them in pursuance of the notice,
 - (ii) the proposals submitted by him under subsection (4)(c), and
 - (iii) such other information connected with his application as [^{F2}OFCOM] consider appropriate; and
 - (b) a notice—
 - (i) inviting representations to be made to them with respect to any of the applications, and
 - (ii) specifying the manner in which, and the time by which, any such representations are to be so made.

Changes to legislation: Broadcasting Act 1996, Section 50 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Words in s. 50(1)(b) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 109\(3\)](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F2** Words in s. 50 substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 109\(2\)](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F3** Words in s. 50(2)(d) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 109\(4\)](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F4** S. 50(4)(da) inserted (25.7.2006) by [The Television Licensable Content Services Order 2006 \(S.I. 2006/2131\)](#), arts. 1(1), [5\(6\)](#)

Changes to legislation:

Broadcasting Act 1996, Section 50 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 97(1)-(2A) substituted for s. 97(1)(2) by [2003 c. 21 s. 299\(1\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 97(5A)(5B) inserted by [2003 c. 21 s. 299\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 101(1)-(1D) substituted for s. 101(1) by [2003 c. 21 s. 300\(2\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 101(5) inserted by [2003 c. 21 s. 300\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)