



Broadcasting Act 1996

1996 CHAPTER 55

PART III

AMENDMENTS OF THE BROADCASTING ACT 1990

Regional Channel 3 services

76 Nomination by Commission for purposes of section 31(2) of Broadcasting Act 1990

- (1) Section 32 of the 1990 Act (nomination of bodies to provide news for regional Channel 3 services) is amended in accordance with subsections (2) to (5).
- (2) For subsections (1) to (6) there is substituted—
 - “(1) With a view to enabling them to nominate bodies corporate as eligible for appointment for the purposes of section 31(2), the Commission shall invite bodies appearing to them to be qualified for nomination to make applications to be so nominated.
 - (2) Where a body corporate—
 - (a) applies to the Commission (whether in pursuance of any such invitation or not) to be nominated under this section as a nominated news provider, and
 - (b) appears to the Commission to be qualified for nomination, the Commission shall so nominate that body.
 - (3) Subject to subsection (5), any nomination made by the Commission under this section shall remain in force for a period of ten years, and at the end of that period may be renewed by the Commission for a further period of ten years.
 - (4) Where the Commission are notified by the holders of licences to provide regional Channel 3 services that the appointment of the appointed news provider is due to expire, or to be renewed or terminated in accordance with the terms of the appointment, the Commission shall review the qualification

Status: This is the original version (as it was originally enacted).

for nomination of all nominated news providers (including the appointed news provider).

- (5) If on any such review it appears to the Commission that a body is no longer qualified for nomination they shall (subject to subsection (6)) by notice terminate that body's nomination.
- (6) The Commission shall not terminate a body's nomination under subsection (5) unless they have given the body a reasonable opportunity of making representations to them about the proposed termination."
- (3) In subsection (9), paragraph (b) is omitted.
- (4) In subsection (12), for the words from "appearing", where second occurring, onwards there is substituted "which—
- (a) in their opinion is or, if appointed, would be effectively equipped and adequately financed to provide high quality news programmes for broadcasting in regional Channel 3 services; and
 - (b) appears to them not to be disqualified for being nominated under this section by virtue of this subsection."
- (5) In subsection (13)—
- (a) in paragraph (b), after "section", where second occurring, there is inserted "as eligible for appointment", and
 - (b) after paragraph (b) there is inserted—
 - "and
 - (c) references to the appointed news provider are references to the person for the time being appointed for the purposes of section 31(2) under the arrangements referred to in section 31A(a)."
- (6) Subsections (2), (4) and (5) do not affect the application of section 32 of the 1990 Act before 1st January 1998 in relation to nomination for the purposes of section 31(2) of that Act as originally enacted.