

Changes to legislation: Communications Act 2003, Paragraph 7 is up to date with all changes known to be in force on or before 16 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

SCHEDULES

SCHEDULE 11

APPROVAL, IMPOSITION AND MODIFICATION OF NETWORKING ARRANGEMENTS

[^{F1}Other matters to be taken into account

Textual Amendments

F1 Sch. 11 para. 6A inserted (31.12.2020) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/93\)](#), reg. 1(1), [Sch. 1 para. 11\(7\)](#) (as amended by [S.I. 2020/1343](#), regs. 1(1), [23\(5\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

- 7 (1) OFCOM must not—
- (a) approve arrangements or modifications,
 - (b) impose arrangements or modify imposed arrangements, or
 - (c) propose modifications following a review under section 293,
- unless they consider that the arrangements, or the arrangements as proposed to be modified, are satisfactory.
- (2) OFCOM’s consideration under sub-paragraph (1) must include consideration of the following two factors.
- (3) The first factor is whether the arrangements, or the arrangements as proposed to be modified, represent a satisfactory means of achieving the purpose set out in section 290(4)(c).
- (4) The second factor is the likely effect of the arrangements, or the arrangements as modified, on the ability of the persons who will be or are the holders of regional Channel 3 licences, or of any of them, to maintain the quality and range of—
- (a) regional programmes included in regional Channel 3 services; and
 - (b) the other programmes included in such services which contribute to the regional character of the services.
- (5) In this paragraph “regional programme”, in relation to a regional Channel 3 service, means a programme (including a news programme) which is of particular interest—
- (a) to persons living within the area for which the service is provided;
 - (b) to persons living within a part of that area; or
 - (c) to particular communities living within that area.]

Commencement Information

II Sch. 11 para. 7 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- 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. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)