



Communications Act 2003

2003 CHAPTER 21

PART 3

TELEVISION AND RADIO SERVICES [^{F1}ETC]

CHAPTER 1

THE BBC, C4C THE WELSH AUTHORITY AND THE GAELIC MEDIA SERVICE

The Welsh Authority

204 Welsh Authority's function of providing S4C and S4C Digital

- (1) The Welsh Authority shall continue in existence with the substitution of the following function for their functions under section 57 of the 1990 Act.
- (2) The Welsh Authority shall have the function of providing television programme services of high quality with a view to their being available for reception wholly or mainly by members of the public in Wales.
- [^{F1}(3) The carrying out of that function—
 - (a) must include the continuing provision of the service provided in digital form and known as S4C Digital; and
 - (b) may include the continuing provision of the television broadcasting service known as Sianel Pedwar Cymru (“S4C”).]
 - [^{F2}(4) The duty of the Welsh Authority to provide S4C Digital includes a duty to secure that arrangements are made and remain in force for it to be broadcast in digital form.]
 - (5) It shall be the duty of the Welsh Authority to secure that S4C and S4C Digital each represents a public service for the dissemination of information, education and entertainment.
 - (6) The Welsh Authority may use part of the signals carrying S4C to provide—

Changes to legislation: Communications Act 2003, Section 204 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) subtitling in relation to programmes included in the service; and
 - (b) other services which are ancillary to programmes included in S4C and which are directly related to their contents.
- (7) In providing S4C Digital the Welsh Authority may also provide—
- (a) assistance for disabled people in relation to programmes included in the service; and
 - (b) any other service (other than one mentioned in paragraph (a)) which is an ancillary service in relation to S4C Digital.
- (8) The Secretary of State may by order modify this Act and such other enactments as he thinks fit for the purpose of—
- (a) replacing the requirement of the Welsh Authority to provide S4C with a requirement to provide a service in digital form;
 - (b) requiring the Welsh Authority to secure that arrangements are made for that service and S4C Digital to be merged and provided as one service (also to be known as “S4C Digital”); and
 - (c) applying enactments relating to the provision of S4C or S4C Digital to the provision of the merged service.
- (9) An order under subsection (8) may require the Welsh Authority to ensure that, from the coming into force of a requirement to provide a merged service in digital form until a time determined in the manner described in the order, the whole or a part of the merged service is also to be provided for broadcasting in analogue form.
- (10) In this section “programme” does not include an advertisement.

Textual Amendments

- F1** S. 204(3) substituted (12.8.2009) by [Welsh Authority \(Digital Switchover\) Order 2009 \(S.I. 2009/1968\)](#), arts. 1, **2(2)**
- F2** S. 204(4) substituted (12.8.2009) by [Welsh Authority \(Digital Switchover\) Order 2009 \(S.I. 2009/1968\)](#), arts. 1, **2(3)**
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Commencement Information

- I1** S. 204 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

Changes to legislation:

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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\(1\)](#)