



# Communications Act 2003

## 2003 CHAPTER 21

### PART 3

#### TELEVISION AND RADIO SERVICES

### CHAPTER 4

#### REGULATORY PROVISIONS

#### *Sporting and other events of national interest*

#### **300 Effects of categorisation of listed events**

- (1) In section 99(1) of the 1996 Act (avoidance of contracts for exclusive rights to televise listed events), for “listed event” there shall be substituted “Group A listed event”.
- (2) In section 101 of that Act (restriction on televising of listed events), for subsection (1) there shall be substituted—

“(1) A television programme provider who—

- (a) is providing a service (“the first service”) falling within either category, and
- (b) is providing it with a view to its being available (within the meaning of Part 3 of the Communications Act 2003) for reception by members of the public in the United Kingdom, or in any area of the United Kingdom,

must not include live coverage of a listed event in that service unless it is authorised by subsection (1A), (1B) or (1C).

(1A) Live coverage of a listed event is authorised by this subsection if—

- (a) a television programme provider (other than the provider of the first service) has acquired the right to include live coverage of the event in his service (“the second service”); and

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*Status: This is the original version (as it was originally enacted).*

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- (b) the second service—
  - (i) falls into a different category from the first service, and
  - (ii) is provided for an area that consists of or includes all or almost all of the area for which the first service is provided.
- (1B) Live coverage of a listed event is authorised by this subsection if OFCOM have consented in advance to inclusion of that coverage in the first service.
- (1C) Live coverage of a listed event is authorised by this subsection if—
  - (a) the listed event is a Group B event,
  - (b) rights to provide coverage of the event have been acquired by one or more persons in addition to the provider of the first service,
  - (c) that additional coverage constitutes adequate alternative coverage of the event, and
  - (d) the person or persons who have acquired rights to provide the additional coverage satisfy the requirements in relation to that coverage of any regulations made under section 104ZA for the purposes of this paragraph.
- (1D) Subsections (1) to (1C) apply to the coverage of a part of a listed event as they apply to the coverage of the whole of that event.”
- (3) In subsection (2) of that section, for “under subsection (1)” there shall be substituted “for the purposes of subsection (1B).”
- (4) After subsection (4) of that section there shall be inserted—
  - “(5) References in this section to a category of service are references to a category of service set out in section 98(1).”
- (5) In section 102(2) of that Act (penalties), for “under subsection (1) of section 101” there shall be substituted “for the purposes of section 101(1B)”.
- (6) In section 103(2) of that Act (reports to the Secretary of State), for “under subsection (1) of section 101” there shall be substituted “for the purposes of section 101(1B)”.