

*These notes refer to the Digital Economy Act 2010  
(c.24) which received Royal Assent on 8 April 2010*

# DIGITAL ECONOMY ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Topic 6: Independent radio services*

##### *Background*

130. The Act provides for the regulatory framework necessary to facilitate the delivery of a digital switchover of radio services to Digital Audio Broadcasting (DAB), referred to in the *Digital Britain: Final Report* as a “Digital Radio Upgrade”. In particular, the provisions give powers to the Secretary of State to nominate a date for digital switchover and ensure that OFCOM have sufficient powers to provide for an orderly changeover on that date, particularly powers to:
- Terminate relevant analogue licences by the nominated date for digital switchover without the licence holders’ consent, subject to a minimum notice period of 2 years;
  - Renew national and local analogue radio licences for up to a further 7 years so long as licence holders also provide content in a digital service via a multiplex<sup>1</sup>;
  - Allow approved local licences to be renewed by the nomination of a national DAB service, providing that the analogue and digital services share at least 80% of their content; and
  - Allow for variation of the frequency or coverage area of a multiplex licence, with the aim of improving the coverage of DAB.
131. The Act reduces regulatory burdens by enabling local stations to share premises and administrative costs within an area approved by OFCOM.

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<sup>1</sup> A multiplex consists of a number of digital services, such as radio stations, bundled together and transmitted digitally on a single frequency in a given transmission area.