

1988 No. 1370

**CABLE PROGRAMME SERVICES**

**The Cable Programme Services (Exceptions) Order 1988**

*Made - - - - 1st August 1988*

*Laid before Parliament 8th August 1988*

*Coming into force 1st September 1988*

In exercise of the powers conferred upon me by sections 3 and 58 of the Cable and Broadcasting Act 1984(a), and after consultation with the Cable Authority in accordance with the said section 3, I hereby make the following Order:

1.—(1) This Order may be cited as the Cable Programme Services (Exceptions) Order 1988 and shall come into force on 1st September 1988.

(2) The Cable Programme Services (Exceptions) Order 1984(b) is hereby revoked.

2. There is hereby excepted from the requirement of a licence under section 4 of the Cable and Broadcasting Act 1984 imposed by section 3 of the Act the types of licensable cable programme service described in the Schedule to this Order.

Home Office

1st August 1988

*Douglas Hurd*

One of Her Majesty's Principal Secretaries of State

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**SCHEDULE**

**Article 2**

**TYPES OF LICENSABLE CABLE PROGRAMME SERVICE EXCEPTED FROM THE REQUIREMENT OF A LICENCE UNDER SECTION 4 OF THE CABLE AND BROADCASTING ACT 1984**

1. A licensable cable programme service consisting only of broadcasts for general reception made by the British Broadcasting Corporation or the Independent Broadcasting Authority and included in the service by the reception and immediate re-transmission of the broadcasts.

2. A diffusion service consisting only of sounds sent by means of a licensed telecommunication system run by a person to whom this paragraph applies.

3. A restricted service to the extent that—

(a) it is sent by means of a licensed telecommunication system run by a person to whom this paragraph applies; or

(b) the material presented does not include advertisements and no payment is made either directly or indirectly in respect of the presentation by the persons to whom it is presented.

4. Paragraphs 2 and 3(a) above apply to a person who is a public telecommunications operator within the meaning of the Telecommunications Act 1984(c), not being a public telecommunications operator licensed to provide a prescribed diffusion service.

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(a) 1984 c.46.

(b) S.I. 1984/980.

(c) 1984 c.12.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order excepts from the requirement of a licence under section 4 of the Cable and Broadcasting Act 1984 the types of licensable cable programme service described in the Order. These are the simultaneous relaying of programmes broadcast by the BBC and the IBA; diffusion services in sound only whose signals are conveyed by a public telecommunications operator other than one licensed to provide a prescribed diffusion service; public presentations insofar as the signals are conveyed by such a person; and public presentations for which no charge is made and which do not include advertisements. The order also revokes the corresponding Order made under the Telecommunications Act 1984 (c.12).

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