
STATUTORY INSTRUMENTS

1989 No. 2403

**BROADCASTING CABLE
PROGRAMME SERVICES**

The Broadcasting Act 1981 (Isle of Man) Order 1989

Made - - - - *19th December 1989*

Coming into force - - *1st January 1990*

At the Court at Buckingham Palace, the 19th day of December 1989

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 66(3) of the Broadcasting Act 1981((1)), including that section as extended by section 2(3) of the Broadcasting Act 1987((2)), and of section 59(3) of the Cable and Broadcasting Act 1984((3)), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Broadcasting Act 1981 (Isle of Man) Order 1989 and shall come into force on 1st January 1990.

2.—(1) The following provisions of the Broadcasting Act 1981((4)) shall extend to the Isle of Man with the adaptations and modifications specified in Part I of the Schedule to this Order: Part I (Independent Broadcasting Authority), except sections 17, 18, 26, 33, 34, 35, 38, 39 and 41 and Schedule 4; Part III (Broadcasting Complaints Commission), except section 60; Part IV (general), except section 64.

(2) Sections 46 and 47 of the Cable and Broadcasting Act 1984 shall extend to the Isle of Man with the adaptations and modifications specified in Part II of the Schedule to this Order.

(1) 1981 c. 68.

(2) 1987 c. 10.

(3) 1984 c. 46.

(4) Sections 25 and 63 and Schedule 3 were repealed in part by section 50 of and Schedule 6 to the Cable and Broadcasting Act 1984 and sections 2, 3, 9, 14, 19, 42, 53 to 59 and 63 were amended by sections 29, 45 and 38 of and Schedules 2 and 5 to that Act; section 2 was further amended by the Broadcasting (Extension of Duration of IBA's Function) Order 1987 (S.I.1987/673), section 3 was further amended by Schedule 4 to the Telecommunications Act 1984 (c. 12), section 4 was amended by Schedule 7 to the Copyright, Designs and Patents Act 1988 (c. 48) and section 19 was further amended by the Broadcasting Act 1987; there are other amendments which are not relevant for the purposes of this Order.

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3. The Independent Broadcasting Authority Act 1973 (Isle of Man) Order 1976((5)), the Independent Broadcasting Authority Act 1978 (Isle of Man) Order 1979((6)) and the Broadcasting Act 1980 (Isle of Man) Order 1981((7)) are hereby revoked.

G.I. de Deney
Clerk of the Privy Council

(5) S.I. 1976/1778.
(6) S.I. 1979/461.
(7) S.I. 1981/1807.

SCHEDULE

Article 2

PART I

adaptations and modifications in the extension of provisions of the Broadcasting Act 1981 to the Isle of Man

1. Any reference to an Act of Parliament (including the Broadcasting Act 1981) or to a provision of such an Act shall be construed, unless the contrary intention appears, as a reference to that Act or provision as it has effect in the Isle of Man.

2. Any reference to local sound broadcasts or to local sound broadcasting services shall be construed as a reference only to local sound broadcasts or to local sound broadcasting services provided by the Independent Broadcasting Authority in the United Kingdom by virtue of the Broadcasting Act 1981 as it has effect in the United Kingdom.

3.—(1) In section 2(1), for “31st December 2005” there shall be substituted “31st December 1992”.

(2) Section 2(4)(b), (5) and (6) shall be omitted.

(3) At the end of section 2 there shall be inserted the following subsection:

“(7) Nothing in this section shall be construed as authorising the Authority to provide any local sound broadcasting station for the Isle of Man.”.

4.—(1) In section 3(7), for “section 7 of the Telecommunications Act 1984” there shall be substituted “section 5 of the Telecommunications Act 1984 (an Act of Tynwald)”.

(2) At the end of section 3 there shall be inserted the following subsection:

“(8) Nothing in this section shall be construed as authorising the Authority to establish, install or use any wireless telegraphy station in the Isle of Man as a local sound broadcasting”.

5. In section 8(7)(e), at the end there shall be inserted “or, in relation to any television broadcasting station in the Isle of Man, the Lieutenant Governor of the Isle of Man or any Department of the Isle of Man Government”.

6. Section 10(4) shall be omitted.

7.—(1) Section 19(2)(a) shall be omitted.

(2) In section 19(4)(a), the words “or, as the case may be, local sound broadcasts” shall be omitted.

8. Section 20(8) and (9) shall be omitted.

9.—(1) In section 27(1)—

(a) for “either of television programmes or local sound broadcasts” there shall be substituted “of television programmes”;

(b) in paragraph (b), the words “or (as the case may be) local sound broadcasts” shall be omitted, and

(c) in paragraph (c), the words “or local sound broadcasts” shall be omitted.

(2) In section 27(2), the words “or (as the case may be) local sound broadcasts” shall be omitted.

10.—(1) Section 29(6) shall be omitted.

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(2) For section 29(8) there shall be substituted the following subsection:

“(8) In relation to any television broadcasting station in the Isle of Man, the reference in subsection (1) to a Minister of the Crown includes a reference to the Lieutenant Governor of the Isle of Man or any Department of the Isle of Man Government.”.

11. For section 32 there shall be substituted the following section:

“32. The contracts between the Authority and the various programme contractors for the provision of television programmes shall provide for payments to be made by the programme contractors to the Authority representing what appear to the Authority to be the appropriate contributions of the respective programme contractors towards meeting the sums which the Authority regard as necessary in order to discharge their duty under section 36(2) of this Act.”

12. Section 40(5) shall be omitted.

13. For section 44(3) there shall be substituted the following subsection:

“(3) In relation to any agreement affecting employment in the Isle of Man, the reference in subsection (2) to the Secretary of State includes a reference to the Department of Health and Social Security of the Isle of Man.”.

14. In section 54(1), paragraph (b) shall be omitted.

15. Section 57(2A) shall be omitted.

16. Section 58(2) shall be omitted.

17. Section 65(1) and (2) shall be omitted.

18. Section 66(2), (3) and (4) shall be omitted.

19. In Schedule 3, the references in Part I to provisions of the Broadcasting Act 1981 shall be construed subject to the provisions of this Schedule, and Part II shall be omitted.

20. In Schedule 8, paragraphs 3, 5, 6 and 8 shall be omitted.

21. Schedule 9 shall have effect in relation only to such of the enactments specified there as have effect in the Isle of Man.

PART II

adaptations and modifications in the extension of provisions of the cable and Broadcasting Act 1984 to the Isle of Man

In sections 46 and 47, “the 1981 Act” means the Broadcasting Act 1981 as it has effect in the Isle of Man by virtue of this Order, and expressions used in those sections which are also used in the Broadcasting Act 1981 have the same meanings as in that Act.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Isle of Man, with the adaptations and modifications specified in the Schedule, certain provisions of the Broadcasting Act 1981 (as amended), together with associated provisions of the Cable and Broadcasting Act 1984. The Orders in Council which extended provisions consolidated in the Act of 1981, or enactments repealed by such provisions, are revoked.