
STATUTORY INSTRUMENTS

1991 No. 1176

**The Broadcasting (Restrictions on
the Holding of Licences) Order 1991**

PART II

TELEVISION

Regional Channel 3

3.—(1) In addition to the limits on the holding of licences to provide regional Channel 3 services specified in paragraph 2(1) of Part III of Schedule 2 to the Act (no person to hold more than two licences for regional Channel 3) and article 4 a person shall not at any time hold two licences to provide regional Channel 3 services if each of them is provided for one of the areas specified in paragraph (3).

(2) The areas specified in paragraph (3) and article 4(2) are areas of the United Kingdom in respect of which the Independent Television Commission have determined that a regional Channel 3 service is to be provided.

(3) The areas referred to in paragraph (1) are—

- (a) Central Scotland;
- (b) East, West and South Midlands;
- (c) East of England;
- (d) London;
- (e) North-West England;
- (f) South and South-East England;
- (g) Wales and West of England; and
- (h) Yorkshire.

4.—(1) In addition to the limits on the holding of licences to provide regional Channel 3 services specified in paragraph 2(1) of Part III of Schedule 2 to the Act and article 3 a person shall not at any time hold two licences to provide regional Channel 3 services if they are for any of the combinations of areas specified in paragraph (2).

(2) The combinations referred to in paragraph (1) are—

- (a) Borders and Isle of Man and—
 - (i) Central Scotland,
 - (ii) North East England, or
 - (iii) North West England;
- (b) North Scotland and Central Scotland;
- (c) North-East England and Yorkshire;

- (d) South-West England and—
 - (i) South and South-East England, or
 - (ii) Wales and West of England.

5.—(1) A person who is the holder of licences to provide two regional Channel 3 services (in accordance with paragraph 2(1) of Part III of Schedule 2 to the Act and articles 3 and 4) shall not be a participant with more than a 20% interest in a body corporate which is the holder of another licence to provide a regional Channel 3 service.

(2) Where such a person as is mentioned in paragraph (1) is a participant with more than a 5% interest in a body corporate which is the holder of another licence to provide a regional Channel 3 service (but, in accordance with that paragraph, is not a participant with more than a 20% interest in it), he shall not be a participant with more than a 5% interest in any other such body corporate.

6.—(1) A person who is—

- (a) the holder of a licence to provide a regional Channel 3 service; and
- (b) a participant with more than a 20% interest in a body corporate which is the holder of a licence to provide another such service,

shall not be a participant with more than a 20% interest in any other body corporate which is the holder of a licence to provide a regional Channel 3 service.

(2) Where such a person as is mentioned in paragraph (1) is a participant with more than a 5% interest in a body corporate which is the holder of a licence to provide a regional Channel 3 service (but, in accordance with that paragraph, is not a participant with more than a 20% interest in it), he shall not be a participant with more than a 5% interest in any other such body corporate.

National Channel 3

7.—(1) A person who is the holder of a licence to provide a national Channel 3 service shall not be a participant with more than a 20% interest in a body corporate which is the holder of another licence to provide a national Channel 3 service.

(2) Where such a person as is mentioned in paragraph (1) is a participant with more than a 5% interest in a body corporate which is the holder of another licence to provide a national Channel 3 service (but, in accordance with that paragraph, is not a participant with more than a 20% interest in it), he shall not be a participant with more than a 5% interest in any other such body corporate.

Channel 5

8.—(1) A person who is the holder of a licence to provide Channel 5 shall not be a participant with more than a 20% interest in a body corporate which is the holder of another licence to provide Channel 5.

(2) Where such a person as is mentioned in paragraph (1) is a participant with more than a 5% interest in a body corporate which is the holder of another licence to provide Channel 5 (but, in accordance with that paragraph, is not a participant with more than a 20% interest in it), he shall not be a participant with more than a 5% interest in any other such body corporate.

Regional and national Channel 3 and Channel 5

9. Where a person, who is the holder of a licence to provide one of the services mentioned in paragraph 5(1) of Part III of Schedule 2 to the Act, is a participant with more than a 5% interest in a body corporate which is the holder of a licence to provide a service falling within either of the other two categories mentioned there (but, in accordance with paragraph 5(2) of the said Part III, is not a

participant with more than a 20% interest in such a body corporate), he shall not be a participant with more than a 5% interest in any other such body corporate.

Outside participation in Channel 3 and Channel 5

10.—(1) A person to whom this article applies shall not—

- (a) if he is a participant with more than a 20% interest in two bodies corporate which are the holders of licences to provide regional Channel 3 services, be a participant with more than a 20% interest in a third such body corporate; nor
- (b) if he is a participant with more than a 20% interest in a body corporate which is the holder of a licence to provide any of the services mentioned in paragraph 1(2)(a) of Part III of Schedule 2 to the Act, be a participant with more than a 20% interest in a second such body corporate where either of the bodies is the holder of a licence to provide a national Channel 3 service or Channel 5.

(2) Where such a person as is mentioned in paragraph (1) is a participant in the maximum number of bodies corporate permitted by that paragraph, he shall not be a participant with more than a 5% interest in any other body corporate which is the holder of a licence to provide a Channel 3 service or Channel 5.

(3) A person to whom this article applies shall not, if he is a participant with more than a 5% interest in three bodies corporate which are the holders of licences to provide Channel 3 services or Channel 5, be a participant with more than a 5% interest in any other such body corporate.

(4) This article applies to a person who does not hold a licence to provide a Channel 3 service or Channel 5 and has effect as if he and every person connected with him were one person.