
STATUTORY INSTRUMENTS

1996 No. 2760

**The Independent Analogue Broadcasters
(Reservation of Digital Capacity) Order 1996**

PART II

THE C3/C4 MULTIPLEX LICENCE

Modifications of 1996 Act

5.—(1) Sections 11, 12, 13 and 16 of the 1996 Act shall apply to the C3/C4 multiplex licence with the omissions and modifications set out in this article.

(2) Section 11 of the 1996 Act shall apply to the C3/C4 multiplex licence with the omission of section 11(3)(b) and (4).

(3) Section 12 of the 1996 Act shall apply to the C3/C4 multiplex licence with the following modifications:—

- (a) as if the references in section 12 to sections 7(4)(b), (c), (d), (e) and (f) were references to sub-paragraphs (a), (b), (c), (d) and (e) of article 3(2), and
- (b) with the omission of section 12(1)(f).

(4) The C3/C4 multiplex licence shall also include such conditions as appear to the Commission to be appropriate for securing the broadcasting of the Channel 3 services and Channel 4 in digital form and of the qualifying teletext service.

(5) Section 13(1) of the 1996 Act shall apply to the C3/C4 multiplex licence as if it had been granted in pursuance of a notice under section 7(1) of that Act.

(6) Sections 13(2) and (3) of the 1996 Act shall not apply to the C3/C4 multiplex licence.

(7) Section 16 of the 1996 Act shall apply to the C3/C4 multiplex licence with the following modifications:—

- (a) as if the references to section 7(1) were references to article 3(1) and the references to paragraph (f) of section 7(1) were references to sub-paragraph (c) of article 3(1);
- (b) as if the reference to section 7(2)(b) were omitted;
- (c) as if the references to section 7(4)(b) and (f) were references to sub-paragraphs (a) and (e) of article 3(2);
- (d) as if section 16(8) were omitted and replaced by—

““On the grant of such an application the Commission may, with the consent of the Secretary of State, and shall if so required by him, specify a percentage as the percentage of multiplex revenue for each accounting period of his that will be payable by the applicant in pursuance of section 13(1) during the period for which the licence is to be renewed.”; and”

- (e) as if section 16(9) were omitted.