SCHEDULE

MODIFICATION OF LEGISLATION IN RELATION TO COMMUNITY RADIO SERVICES

# PART 2

*Modifications to the Communications Act 2003*

**10.** The modifications to the Communications Act 2003 referred to in article 5 are the modifications set out in this Part.

**Regulation by OFCOM of independent radio services**

**11.** Section 245 has effect as if, in subsection (4)(b), after the words "Bailiwick of Guernsey;" the following paragraph was added—

"(ba) a service is a community radio service if it is a local service having the characteristics set out in article 4 of the Community Radio (Guernsey) Order 2013".

**Extension of existing licences**

**12.** Chapter 3 of Part 3 has effect as if section 253 were omitted and before section 256 there were inserted—

"**253A Extension of community radio licences**

(1) A person who holds a community radio licence is entitled to apply to OFCOM, in accordance with the following provisions of this section, for one extension of that licence.

(2) The period for which a licence may be extended on such an application is a period ending not more than five years after the end of the period for which it was granted originally.

(3) An application under subsection (1) may only be made in the period which—

(a) begins eighteen months before the date on which the licence would otherwise expire; and

(b) ends six months before that date.

(4) An application under subsection (1)—

(a) must be made in such manner,

(b) must contain such information about the applicant, the applicant's business and the service the applicant proposes to provide, and

(c) must be accompanied by such fee (if any),

as OFCOM may determine.

(5) If, on an application for an extension under subsection (1), OFCOM are satisfied as to the matters mentioned in subsection (6), they shall modify the licence by extending the period for which the licence is to be in force by such period authorised by subsection (2) as they think fit.

(6) Those matters are—

(a) the ability of the licence holder to maintain the service for the period of the extension; and

(b) the likelihood of a contravention by the licence holder of a requirement imposed by a condition included in the licence by virtue of section 106 of the 1990 Act."

**Provisions that do not have effect**

**13.** Sections 314 (character and content of services), 355 and 356 (variation of licences following change of control) do not have effect.