

SCHEDULE

Modifications of the 1996 Act

PART 1

Modifications of Part 2 of the 1996 Act in relation to small-scale radio multiplex services

6. Section 50 (local radio multiplex licences) has effect as if—
- (a) in the heading, for “Local” there were substituted “Small-scale”;
 - (b) for subsection (1) there were substituted—
 - “(1) Where OFCOM propose to grant a licence to provide a small-scale radio multiplex service they must publish, in such manner as they consider appropriate, a notice under subsection (2).”;
 - (c) in subsection (2)—
 - (i) in paragraph (a), for “local” there were substituted “small-scale”;
 - (ii) in paragraph (b), after “specifying the” there were inserted “intended”;
 - (iii) for paragraph (d) there were substituted—
 - “(d) specifying the digital capacity on the frequency in that area or locality to be reserved for the broadcasting of community digital sound programme services.”;
 - (d) after subsection (2) there were inserted—
 - “(2A) In determining the area or locality to be specified under subsection (2)(c), OFCOM must have regard to the following matters—
 - (a) the extent to which there is demand for, or support for, the provision of community digital sound programme services and local digital sound programme services in the area or locality;
 - (b) whether the area or locality is appropriate for securing the provision of community digital sound programme services and local digital sound programme services;
 - (c) where the area or locality overlaps with the coverage area of a local radio multiplex service, the desirability of ensuring that the population of the overlapping area is less than 40 per cent of the population of the coverage area of that local radio multiplex service.”;
 - (e) for subsection (3) there were substituted—
 - “(3) When publishing a notice under subsection (2), OFCOM may publish with the notice such general guidance as to the requirements to be met by applications made in pursuance of the notice as they consider appropriate.”;
 - (f) in subsection (4)—
 - (i) paragraphs (c), (d), (da)(1) and (e) were omitted;
 - (ii) in paragraph (f), the words from “and his projected” to “in force” were omitted;
 - (g) in subsection (7), paragraph (a)(ii) were omitted.

(1) Paragraph (da) was inserted by [S.I. 2006/2131](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.