



Broadcasting Act 1996

1996 CHAPTER 55

PART I

DIGITAL TERRESTRIAL TELEVISION BROADCASTING

Digital additional services provided on television broadcasting frequencies

26 Duration and conditions of digital additional services licence.

- (1) Subject to the provisions of this Part and to section 42 of the 1990 Act as applied by section 27(8), a digital additional services licence shall continue in force until it is surrendered by its holder.
- (2) A digital additional services licence shall include such conditions as appear to the Commission to be appropriate for requiring the holder of the licence—
 - (a) on entering into any agreement with [^{F1}the provider of a television multiplex service or general multiplex service] for the broadcasting of digital additional services [^{F2}by means of that provider's service] , to notify [^{F3}OFCOM] —
 - (i) of [^{F4}the identity of the service by means of which it will be broadcast]
 - (ii) of the period during which the services will be provided,
 - (iii) where under the agreement the holder of the digital additional services licence will be entitled to the use of a specified amount of digital capacity, of that amount,
 - (b) when any such agreement is varied so far as it relates to any of the matters mentioned in paragraph (a)(i), (ii) or (iii), to notify [^{F3}OFCOM] of the variation so far as relating to those matters, and
 - (c) where he is providing digital additional services to [^{F5}the provider of a television multiplex service or general multiplex service] in accordance with such an agreement as is mentioned in paragraph (a) but intends to cease doing so, to notify [^{F3}OFCOM] of that fact.

Status: Point in time view as at 31/12/2020.

Changes to legislation: Broadcasting Act 1996, Section 26 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F6}(3) A digital additional services licence which authorises the provision of an electronic programme guide (“the guide”) shall also include such conditions as appear to OFCOM to be appropriate for ensuring that, at any time when the guide is a regulated electronic programme guide as defined by section 211A of the Communications Act 2003, the only digital programme services that are listed or promoted by, or which can be accessed through, the guide are digital programme services that—
- (a) are provided by or under a licence under this Part, or
 - (b) do not fall, in pursuance of section 211(1) of the Communications Act 2003, to be regulated by OFCOM.]

Textual Amendments

- F1** Words in s. 26(2)(a) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 95(2)(b)** (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F2** Words in s. 26(2)(a) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 95(2)(c)** (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F3** Words in s. 26(2) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 95(2)(a)** (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F4** Words in s. 26(2)(a)(i) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 95(2)(d)** (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F5** Words in s. 26(2)(c) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 95(2)(b)** (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with art. 11)
- F6** S. 26(3) inserted (31.12.2020) by [The Broadcasting \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/224\)](#), reg. 1(2), **Sch. 1 para. 6** (with reg. 6) (as amended by S.I. 2020/1536, reg. 5(2)(3)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

Broadcasting Act 1996, Section 26 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.