



Cable and Broadcasting Act 1984

1984 CHAPTER 46

PART I

CABLE PROGRAMME SERVICES

Powers of Authority

15 Power to give directions

- (1) The Authority may give directions, which may be, to any degree, either general or specific and qualified or unqualified, with respect to—
- (a) the exclusion of any programme from a licensed service ;
 - (b) the classes and descriptions of advertisements and methods of advertising to be excluded, or to be excluded in particular circumstances, from licensed services; or
 - (c) the exclusion of a particular advertisement from licensed services, or its exclusion from such services in particular circumstances.
- (2) References in this section and section 16 below to programmes or advertisements do not include programmes or advertisements which are included in a licensed service by the reception and immediate re-transmission of broadcasts made by a broadcasting authority.

16 Power to require visual and sound records etc.

- (1) Where the Authority have served on a person authorised by a licence to provide a diffusion service a written notice applying this subsection to programmes specified or of a description specified in the notice, they may, within such period as—
- (a) begins with the inclusion in that service of any programme to which the notice relates ; and
 - (b) is of a length (not exceeding two months) specified in the notice,
- direct that person to produce to them for examination or reproduction a visual or sound record of any matter included in that programme.

Status: This is the original version (as it was originally enacted).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

- (2) If the Authority are satisfied that a person authorised by a licence to provide a diffusion service has failed to comply with any condition of that licence or with any direction given by the Authority, the Authority may serve a written notice on that person—
- (a) stating that the Authority are so satisfied ;
 - (b) stating the effect of subsection (3) below ; and
 - (c) specifying for the purposes of that subsection a period not exceeding twelve months ;
- and the Authority shall publish any notice under this subsection in such manner as they consider appropriate.
- (3) If the Authority are satisfied that, at any time during the period specified in a notice under subsection (2) above, the person concerned has failed to comply with any condition of the licence or any direction given by the Authority, the Authority may direct that person—
- (a) to provide the Authority in advance with such scripts and particulars of the programmes to be included in the diffusion service as may be specified in the direction; and
 - (b) in respect of such of those programmes as will consist of or include recorded matter, to produce to the Authority in advance for examination or reproduction such visual or sound records of that matter as may be so specified ;
- and a direction under this subsection shall have effect for such period, not exceeding six months, as may be specified in the direction.
- (4) Nothing done under or in pursuance of a notice or direction given under this section shall—
- (a) constitute an infringement of the copyright in any work, sound recording, cinematograph film or television or sound broadcast; or
 - (b) constitute an offence under any of the provisions of the Performers' Protection Acts 1958 to 1972.
- (5) Expressions used in this section which are also used in the 1956 Act have the same meanings as in that Act.

17 Power to revoke licences

- (1) Every licence authorising a person to provide a licensable service shall contain all such provisions as the Authority consider requisite or expedient to ensure that—
- (a) if, in view of any failure by that person to comply with any condition of the licence or any direction given by the Authority, the Authority consider it necessary to do so in the public interest; or
 - (b) where the licence authorises the provision of a diffusion service, if the Authority consider it necessary to do so for the purpose of complying with section 8 above; or
 - (c) where that person is a body corporate, if any change affecting the nature or characteristics of the body corporate, or any change in the persons having control over or interests in the body corporate, takes place after the granting of the licence which, if it had occurred before the granting of the licence, would have induced the Authority to refrain from granting the licence,
- the Authority may by notice in writing to that person, taking effect forthwith or on a date specified in the notice, revoke the licence.

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

- (2) Before revoking a licence under a provision included in the licence in pursuance of subsection (1) above, the Authority shall—
- (a) give the person concerned a reasonable opportunity of making representations with respect to the matter; and
 - (b) consult with the licensing authorities for the purposes of Part II of the 1984 Act.