



Broadcasting Act 1990

1990 CHAPTER 42

^{F1}PART I

INDEPENDENT TELEVISION SERVICES

CHAPTER 1

REGULATION BY COMMISSION OF TELEVISION SERVICES GENERALLY

Prohibition on providing unlicensed television services

13 Prohibition on providing television services without a licence.

- (1) Subject to subsection (2), any person who provides any [^{F1}relevant regulated television service] without being authorised to do so by or under a licence under this Part [^{F2}or Part I of the Broadcasting Act 1996] shall be guilty of an offence.

[^{F3}(1A) In subsection (1) “relevant regulated television service” means a service falling, in pursuance of section 211(1) of the Communications Act 2003, to be regulated by OFCOM, other than a television multiplex service.]

- (2) The Secretary of State may, after consultation with [^{F4}OFCOM] , by order provide that subsection (1) shall not apply to such services or descriptions of services as are specified in the order.
- (3) A person guilty of an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.
- (4) No proceedings in respect of an offence under this section shall be instituted—
- (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions;

Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990,
 Cross Heading: Prohibition on providing unlicensed television services. (See end of Document for details)

- (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland.
- (5) Without prejudice to subsection (3), compliance with this section shall be enforceable by civil proceedings by the Crown for an injunction or interdict or for any other appropriate relief.
- (6) Any order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in s. 13(1) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 5\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F2** words in s. 13(1) inserted (1.10.1996) by [1996 c. 55](#), s. 148(1), [Sch. 10 Pt. I para. 2\(1\)\(b\)](#); [S.I. 1996/2120](#), art. 4, [Sch. 1](#)
- F3** S. 13(1A) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 5\(3\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F4** Words in s. 13(2) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 5\(4\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Modifications etc. (not altering text)

- C1** S. 13 excluded (temp. until 11.10.1997) by [S.I. 1997/1682](#), [regs. 1](#), 4(3)
- C2** S. 13(1) excluded by [S.I. 1990/2537](#), [art. 2\(1\)](#)
 S. 13(1) excluded (5.1.1995) by [S.I. 1995/3172](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Broadcasting Act 1990, Cross Heading: Prohibition on providing unlicensed television services.