



Broadcasting Act 1990

1990 CHAPTER 42

PART II

LOCAL DELIVERY SERVICES

Regulation of delivery of certain programmes

79 Regulation of delivery of programmes provided by licence holder and foreign satellite programmes

- (1) Without prejudice to the generality of section 3(2) or (as the case may be) section 86(2), a licence to provide such a service as is mentioned in section 72(2)(c) or (e) may, where it is granted to the holder of a local delivery licence, authorise the provision by that person of programmes for delivery on all or any of the channels on which his local delivery service is provided.
- (2) Where any licensed local delivery service consists in or includes relaying (complete and unchanged) any foreign satellite programmes, the following provisions, namely—
 - (a) section 6(1) so far as relating to the requirements specified in paragraphs (a), (d) and (e) of that provision, and
 - (b) section 7,shall have effect as if the delivery of those programmes constituted the provision of a service licensed under Part I of this Act.
- (3) Accordingly, any reference in those provisions to programmes included in a licensed service shall, where those provisions have effect as mentioned in subsection (2) above, be construed as a reference to any such programmes as are mentioned in that subsection.
- (4) The holder of a local delivery licence shall be taken to be authorised by his licence to include in the licensed service advertisements which are inserted by him and are not included in any service falling within section 72(2); but, if any such advertisements are so included by him, sections 8 and 9 shall have effect as if the delivery of those

Status: This is the original version (as it was originally enacted).

advertisements constituted the provision of a service licensed under Part I of this Act and he were the holder of a licence in force under that Part.

- (5) In subsection (2) “foreign satellite programme” means a programme transmitted by satellite from a place outside the United Kingdom, other than a programme so transmitted from within any country specified in an order made by the Secretary of State for the purposes of this subsection.

80 Directions requiring licence holder to cease relaying foreign television programmes

- (1) If the Commission are satisfied that it is appropriate to do so in pursuance of any international agreement to which the United Kingdom is for the time being a party, they may give to the holder of a local delivery licence a direction requiring him not to relay television programmes which—
- (a) are transmitted from a place outside the United Kingdom, and
 - (b) are included in any service specified or described in the direction.
- (2) Any direction under this section may describe a service for the purposes of subsection (1)(b) by reference to such matters as the Commission think fit.
- (3) Any such direction shall, according to its terms, have effect either during a specified period or for an indefinite period.