

**Changes to legislation:** There are currently no known outstanding effects for the Broadcasting Act 1990, Cross Heading: General disqualification of non-EEC nationals and bodies having political connections. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### RESTRICTIONS ON THE HOLDING OF LICENCES

#### PART II

#### DISQUALIFICATION FOR HOLDING LICENCES

**Modifications etc. (not altering text)**

- C1** Sch. 2 Pt. II applied (with modifications) (20.7.2004) by [The Community Radio Order 2004 \(S.I. 2004/1944\)](#), arts. 1(2), 6 (as amended (27.3.2015) by S.I. 2015/1000, art. 2)
- C1** Sch. 2 Pt. 2 applied (with modifications) (25.10.2019) by [The Small-scale Radio Multiplex and Community Digital Radio Order 2019 \(S.I. 2019/1387\)](#), arts. 1, 5

*General disqualification of non-EEC nationals and bodies having political connections*

- 1 (1) Subject to [<sup>F1</sup>sub-paragraph (1A)], the following persons are disqualified persons in relation to [<sup>F2</sup>a Broadcasting Act licence]—
- <sup>F3</sup>(a) .....
  - <sup>F3</sup>(b) .....
  - (c) a local authority;
  - (d) a body whose objects are wholly or mainly of a political nature;
  - (e) a body affiliated to a body falling within paragraph (d);
  - (f) an individual who is an officer of a body falling within paragraph (d) or (e);
  - (g) a body corporate which is an associate of a body corporate falling within paragraph (d) or (e);
  - (h) a body corporate in which a body falling within any of paragraphs (c) to (e) and (g) is a participant with more than a 5 per cent. interest;
  - [<sup>F4</sup>(hh) a body corporate which is controlled by a body corporate falling within paragraph (h);]
  - (i) a body which is controlled by a person falling within any of paragraphs [<sup>F5</sup>(c)] to (g) or by two or more such persons taken together; and
  - (j) a body corporate in which a body falling within paragraph (i), other than one which is controlled—
    - (i) by a person falling within paragraph <sup>F6</sup>... (f), or
    - (ii) by two or more such persons taken together,is a participant with more than a 5 per cent. interest.

[<sup>F7</sup>(1A) Where a service is provided exclusively for the purposes of the carrying out of the functions of a local authority under section 142 of the Local Government Act 1972

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(provision by local authorities of information relating to their activities), a person is disqualified by virtue of sub-paragraph (1) in relation to a licence to provide that service only if he would be so disqualified disregarding paragraph (c) of that sub-paragraph.]

<sup>F8</sup>(2) .....

<sup>F8</sup>(3) .....

#### Textual Amendments

- F1** Words in Sch. 2 Pt. II para 1(1) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [s. 349\(1\)\(a\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F2** Words in Sch. 2 Pt. II substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 69\(4\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F3** Sch. 2 Pt. II para. 1(1)(a)(b) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [s. 348\(1\)](#), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F4** Sch. 2 Pt. II para. 1(1)(hh) inserted (1.11.1996) by [1996 c. 55](#), s. 73, [Sch. 2 Pt. I para. 6\(2\)](#) (with [s. 43\(1\)\(6\)](#)); [1996/2120](#), art. 5, [Sch. 2](#)
- F5** Words in Sch. 2 Pt. II para 1(1)(i) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 69\(5\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F6** Words in Sch. 2 Pt. II para. 1(1)(j)(i) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F7** Sch. 2 Pt. II para. 1(1A) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [s. 349\(1\)\(b\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F8** Sch. 2 Pt. II para. 1(2)(3) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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