

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 [^{F1}sub-paragraph (1A)], the following persons are disqualified persons in relation to [^{F2}a Broadcasting Act licence]—

^{F3}(a)

^{F3}(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;

[^{F4}(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 [^{F5}(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 ^{F6}... (f), or

(ii) by two or more such persons taken together,

is a participant with more than a 5 per cent. interest.

[^{F7}(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

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)

(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.]

^{F8}(2)

^{F8}(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)

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.