



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART III

#### INDEPENDENT RADIO SERVICES

### CHAPTER II

#### SOUND BROADCASTING SERVICES

##### *Local and other services*

#### **104 Applications for other licences.**

- (1) Where [<sup>F1</sup>OFCOM] propose to grant a licence to provide a local service, they shall publish, in such manner as they consider appropriate, a notice—
  - (a) stating that they propose to grant such a licence;
  - (b) specifying the area or locality in the United Kingdom for which the service is to be provided;
  - (c) inviting applications for the licence and specifying the closing date for applications; and
  - (d) stating the fee payable on any application made in pursuance of the notice.
- (2) Any application made in pursuance of a notice under subsection (1) must be in writing and accompanied by—
  - (a) the fee specified in the notice under paragraph (d) of that subsection;
  - (b) the applicant's proposals for providing a service that would—
    - (i) cater for the tastes and interests of persons living in the area or locality for which it would be provided or for any particular tastes and interests of such persons, and
    - (ii) broaden the range of programmes available by way of local services to persons living in that area or locality;

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*Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 104. (See end of Document for details)*

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- (c) such information as [F1OFCOM] may reasonably require—
    - (i) as to the applicant’s present financial position and his projected financial position during the period for which the licence would be in force, and
    - (ii) as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of his proposed service; and
  - (d) such other information as [F1OFCOM] may reasonably require for the purpose of considering the application.
- (3) At any time after receiving such an application and before determining it [F1OFCOM] may require the applicant to furnish additional information under subsection (2)(b), (c) or (d).
- (4) [F1OFCOM] shall, at the request of any person and on the payment by him of such sum (if any) as [F1OFCOM] may reasonably require, make available for inspection by that person any information furnished under subsection (2)(b) by the applicants for a local licence.
- <sup>F2</sup>(5) .....
- (6) [F3An application for a licence to provide a restricted service shall be made] in such manner as [F1OFCOM] may determine, and shall be accompanied by such fee (if any) as [F1OFCOM] may determine.
- (7) In this section and sections 105 and 106 “programme” does not include an advertisement.

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**Textual Amendments**

- F1** Words in s. 104 substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 45(2)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F2** S. 104(5)(6)(a) repealed (1.11.1996) by [1996 c. 55](#), ss. 94(2), 148(2), **Sch. 11 Pt. I** (with s. 43(1)(6)); [S.I. 1996/2120](#), art. 5, **Sch. 2**
- F3** Words in s. 104(6) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 15 para. 45(3)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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

- C1** Pt. III: transfer of functions (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 1 para. 5** (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, Section 104.