



Broadcasting Act 1990

1990 CHAPTER 42

PART III

INDEPENDENT RADIO SERVICES

CHAPTER II

SOUND BROADCASTING SERVICES

Local and other services

[^{F1}104A Further renewal of local licences

- (1) A local licence may be renewed under this section on [^{F2}three occasions] for a period of not more than 7 years [^{F3}(on the [^{F4}first occasion),] 5 years (on the second occasion)][^{F5}or 10 years (on the third occasion)] beginning with the date of renewal (subject to the following provisions of this section and section 104AB).
- (2) A local licence may be renewed under this section only if—
 - (a) it has been renewed under section 104A, or
 - (b) it is granted on or after the day on which this section comes into force ^{F6}....
- (3) Subsections (3) to (12), (13) and (14) of section 104A apply in relation to the renewal of a licence under this section as they apply in relation to the renewal of a licence under section 104A, subject to subsections (4) [^{F7}, (4A)] and (5).
- (4) Section 104A(3) (as applied) has effect as if the words “Subject to subsection (2)” were omitted.

[Section 104A(14) (as applied) does not prevent the determination of a date falling less ^{F8}(4A) than one year after the making of the determination where—

- (a) the renewal of the licence in question would be the third renewal under this section,

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

- (b) OFCOM consider that the relevant date for the purposes of section 104A (as applied) is a date which is not more than 15 months after the day on which this subsection comes into force, and
 - (c) the determination is made as soon as practicable after that day.]
- (5) In the case of an approved licence, if an applicant for renewal of the licence under this section makes a national nomination in accordance with section 104AB, section 104A (as applied) has effect as if—
- (a) subsections (4) and (13)(b) were omitted,
 - (b) references to the nominated local digital sound programme service were references to the national digital sound programme service nominated under section 104AB, ^{F9}...
 - (c) references to the nominated local radio multiplex service were references to the national radio multiplex service nominated under section 104AB [^{F10}, and
 - (d) references to the nominated small-scale radio multiplex service were omitted.]
- (6) In this section and sections 104AB and 104AC—
- “approved licence” means a local licence approved by OFCOM for the purposes of this section;
- “local digital sound programme service”, “local radio multiplex service”, “national digital sound programme service” and “national radio multiplex service” have the same meanings as in Part 2 of the Broadcasting Act 1996.
- [^{F11}“small-scale radio multiplex service” has the same meaning as in section 258A of the Communications Act 2003.]
- (7) Before approving a licence for the purposes of this section, OFCOM must publish a document specifying—
- (a) the licence proposed to be approved, and
 - (b) a period in which representations may be made to OFCOM.]

Textual Amendments

- F1** Ss. 104AA-104AC inserted (8.4.2010) by [Digital Economy Act 2010 \(c. 24\)](#), **ss. 32(2)**, 47(2)(b) (with [s. 32\(3\)\(4\)](#))
- F2** Words in s. 104AA(1) substituted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(a)(i)**
- F3** Words in s. 104AA(1) inserted (15.12.2015) by [The Legislative Reform \(Further Renewal of Radio Licences\) Order 2015 \(S.I. 2015/2052\)](#), arts. 1, **3(a)(ii)**
- F4** Words in s. 104AA(1) substituted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(a)(ii)**
- F5** Words in s. 104AA(1) inserted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(a)(iii)**
- F6** Words in s. 104AA(2) omitted (10.12.2020) by virtue of [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(b)**
- F7** Word in s. 104AA(3) inserted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(c)**
- F8** S. 104AA(4A) inserted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(d)**
- F9** Word in s. 104AA(5)(b) omitted (10.12.2020) by virtue of [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(e)(i)**
- F10** S. 104AA(5)(d) and word inserted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(e)(ii)**

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

F11 Words in s. 104AA(6) inserted (10.12.2020) by [The Legislative Reform \(Renewal of Radio Licences\) Order 2020 \(S.I. 2020/1526\)](#), arts. 1, **5(f)**

Changes to legislation:

There are currently no known outstanding effects for the Broadcasting Act 1990, Section 104AA.