



Broadcasting Act 1990

1990 CHAPTER 42

PART III

INDEPENDENT RADIO SERVICES

CHAPTER II

SOUND BROADCASTING SERVICES

Enforcement of licences

[^{F1}111B Suspension of licences for inciting crime or disorder

- (1) OFCOM must serve a notice under subsection (2) on the holder of a licence granted under this Chapter if they are satisfied that—
 - (a) the licence holder has included in the licensed service one or more programmes containing material likely to encourage or incite the commission of crime or to lead to disorder,
 - (b) in doing so the licence holder has failed to comply with a condition included in the licence in compliance with section 263 of the Communications Act 2003, and
 - (c) the failure would justify the revocation of the licence.
- (2) A notice under this subsection must—
 - (a) state that OFCOM are satisfied as mentioned in subsection (1),
 - (b) specify the respects in which, in their opinion, the licence holder has failed to comply with the condition mentioned there,
 - (c) state that OFCOM may revoke the licence after the end of the period of 21 days beginning with the day on which the notice is served on the licence holder, and
 - (d) inform the licence holder of the right to make representations to OFCOM in that period about the matters that appear to OFCOM to provide grounds for revoking the licence.

Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 111B. (See end of Document for details)

- (3) The effect of a notice under subsection (2) is to suspend the licence from the time when the notice is served on the licence holder until either—
 - (a) the revocation of the licence takes effect, or
 - (b) OFCOM decide not to revoke the licence.
- (4) If, after considering any representations made to them by the licence holder in the 21 day period mentioned in subsection (2)(c), OFCOM are satisfied that it is necessary in the public interest to revoke the licence, they must serve on the licence holder a notice revoking the licence.
- (5) The revocation of a licence by a notice under subsection (4) takes effect from whatever time is specified in the notice.
- (6) That time must not be earlier than the end of the period of 28 days beginning with the day on which the notice under subsection (4) is served on the licence holder.
- (7) Section 111 does not apply to the revocation of a licence under this section.]

Textual Amendments

F1 S. 111B substituted (27.6.2017) by [Digital Economy Act 2017 \(c. 30\)](#), ss. **91(1)**, 118(2)

Changes to legislation:

There are currently no known outstanding effects for the Broadcasting Act 1990, Section 111B.