



Broadcasting Act 1990

1990 CHAPTER 42

PART X

MISCELLANEOUS AND GENERAL

Foreign satellite services

177 Orders proscribing unacceptable foreign satellite services.

- (1) Subject to the following provisions of this section, the Secretary of State may make an order proscribing a foreign satellite service for the purposes of section 178.
- (2) If [^{F1}OFCOM consider that the quality of any] foreign satellite service which is brought to their attention is unacceptable and that the service should be the subject of an order under this section, they shall notify to the Secretary of State details of the service and their reasons why they consider such an order should be made.
- (3) [^{F2}OFCOM] shall not consider a foreign satellite service to be unacceptable for the purposes of subsection (2) unless they are satisfied that there is repeatedly contained in programmes included in the service matter which offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling.
- (4) Where the Secretary of State has been notified under subsection (2), he shall not make an order under this section unless he is satisfied that the making of the order—
 - (a) is in the public interest; and
 - (b) is compatible with any international obligations of the United Kingdom.
- (5) An order under this section—
 - (a) may make such provision for the purpose of identifying a particular foreign satellite service as the Secretary of State thinks fit; and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

[^{F3}(6) In this section and section 178—

Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 177. (See end of Document for details)

[^{F4}“foreign satellite service” means—

(a) [^{F5}a service which—

(i) consists wholly or mainly in the transmission by satellite of television programmes which are capable of being received in the United Kingdom,

(ii) does not fall within subsection (2)(a) or (b) of section 211 of the Communications Act 2003 (regulation of independent television services), and

(iii) is not provided by the BBC or the Welsh Authority, or]

(b) a service which consists wholly or mainly in the transmission by satellite from a place outside the United Kingdom of sound programmes which are capable of being received in the United Kingdom;

^{F6} ...]]

Textual Amendments

- F1** Words in s. 177(2) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 61\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F2** Words in s. 177(3) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 61\(3\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F3** S. 177(6) substituted (11.7.1997) by [S.I. 1997/1682](#), reg. 2, [Sch. para. 13](#)
- F4** S. 177(6): definition of “foreign satellite service” substituted (30.12.1998) by [S.I. 1998/3196](#), reg. 2, [Sch. para. 5](#)
- F5** Words in s. 177(6) substituted (31.12.2020) by [The Broadcasting \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/224\)](#), reg. 1(2), [Sch. 1 para. 1](#) (with reg. 6) (as amended by [S.I. 2020/1536](#), reg. 5(2) (3)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F6** Words in s. 177(6) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 61\(4\)](#), [Sch. 19\(1\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Modifications etc. (not altering text)

- C1** S. 177: transfer of functions (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 1 para. 6](#) (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 177.