



Broadcasting Act 1990

1990 CHAPTER 42

PART X

MISCELLANEOUS AND GENERAL

General

201 Programme services.

(1) In this Act “programme service” means any of the following services (whether or not it is, or it requires to be, licensed ^{F1}...), namely—

[^{F2}(aa) any service which is a programme service within the meaning of the Communications Act 2003;]

(c) any other service which consists in the sending, by means of [^{F3}an electronic communications network (within the meaning of the Communications Act 2003)] , of sounds or visual images or both either—

(i) for reception at two or more places in the United Kingdom (whether they are so sent for simultaneous reception or at different times in response to requests made by different users of the service); or

(ii) for reception at a place in the United Kingdom for the purpose of being presented there to members of the public or to any group of persons.

[^{F4}(2A) Subsection (1)(c) does not apply to so much of a service consisting only of sound programmes as—

(a) is a two-way service (within the meaning of section 248(4) of the Communications Act 2003);

(b) satisfies the conditions in section 248(5) of that Act; or

(c) is provided for the purpose only of being received by persons who have qualified as users of the service by reason of being persons who fall within paragraph (a) or (b) of section 248(7) of that Act.

Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 201. (See end of Document for details)

(2B) Subsection (1)(c) does not apply to so much of a service not consisting only of sound programmes as—

- (a) is a two-way service (within the meaning of section 232 of the Communications Act 2003);
- (b) satisfies the conditions in section 233(5) of that Act; or
- (c) is provided for the purpose only of being received by persons who have qualified as users of the service by reason of being persons who fall within paragraph (a) or (b) of section 233(7) of that Act.]

Textual Amendments

- F1** Words in s. 201(1) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142](#), [art. 3\(1\)](#), [Sch.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](#))
- F2** S. 201(1)(aa) substituted for s. 201(1)(a)-(bb) (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), [ss. 360\(1\)\(a\)](#), [411\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), [art. 3\(1\)](#), [Sch. 1](#) (with [art. 11](#))
- F3** Words in s. 201(1)(c) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), [ss. 360\(1\)\(b\)](#), [411\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), [art. 3\(1\)](#), [Sch. 1](#) (with [art. 11](#))
- F4** S. 201(2A)(2B) substituted for s. 201(2) (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), [ss. 360\(2\)](#), [411\(2\)](#) (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 201.