



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART III

#### INDEPENDENT RADIO SERVICES

### CHAPTER II

#### SOUND BROADCASTING SERVICES

##### *National services*

#### **99 Procedure to be followed by Authority in connection with consideration of applications for national licences.**

- (1) Where a person has made an application for a national licence in accordance with section 98, [<sup>F1</sup>OFCOM] shall not proceed to consider whether to award him the licence on the basis of his cash bid in accordance with section 100 unless it appears to them—
- (a) that his proposed service would <sup>F2</sup>...—
    - (i) comply with any requirement specified under subsection (1)(b)(iii) or (iv) of section 98, <sup>F3</sup>...
    - <sup>F3</sup>(ii) .....
  - (b) that he would be able to maintain that service [<sup>F4</sup>and any proposed simulcast radio service corresponding to that service] throughout the period for which the licence would be in force.
- (2) Any reference to an applicant in section 100 (except in section 100(9)(b)) is accordingly a reference to an applicant in whose case it appears to [<sup>F1</sup>OFCOM] that the requirements of subsection (1)(a) and (b) above are satisfied.

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*Changes to legislation: There are currently no known outstanding effects  
for the Broadcasting Act 1990, Section 99. (See end of Document for details)*

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#### Textual Amendments

- F1** Words in s. 99 substituted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 39\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)
- F2** Word in s. 99(1)(a) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 39\(3\)\(a\), Sch. 19\(1\)](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)
- F3** S. 99(1)(a)(ii) and the word immediately preceding it repealed (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 39\(3\)\(b\), Sch. 19\(1\)](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)
- F4** Words in s. 99(1)(b) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 39\(4\)](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)

#### 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 99.