



Broadcasting Act 1996

1996 CHAPTER 55

PART V

THE BROADCASTING STANDARDS COMMISSION

Unjust or unfair treatment or unwarranted infringement of privacy

107 Preparation by [F¹OFCOM] of code relating to avoidance of unjust or unfair treatment or interference with privacy.

- (1) It shall be the duty of [F¹OFCOM] to draw up, and from time to time review, a code giving guidance as to principles to be observed, and practices to be followed, in connection with the avoidance of—
- (a) unjust or unfair treatment in programmes to which this section applies, or
 - (b) unwarranted infringement of privacy in, or in connection with the obtaining of material included in, such programmes.

^{F2}(2)

(3) [F¹OFCOM] shall from time to time publish the code (as for the time being in force).

- (4) Before drawing up or revising the code, [F¹OFCOM] shall consult—
- (a) each broadcasting ^{F3}... body, and
 - (b) such other persons as appear to [F¹OFCOM] to be appropriate.

- (5) This section applies to—
- (a) any programme broadcast by the BBC,
 - (b) any programme broadcast by the Welsh Authority or included in [F⁴any public service of the Welsh Authority (within the meaning of Part 2 of Schedule 12 to the Communications Act 2003)] , and
 - (c) any programme included in a licensed service.

Changes to legislation: Broadcasting Act 1996, Cross Heading: Unjust or unfair treatment or unwarranted infringement of privacy is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Words in s. 107 substituted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 132\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)
- F2** S. 107(2) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with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)
- F3** Words in s. 107(4)(a) repealed (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with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)
- F4** Words in s. 107(5)(b) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 15 para. 133](#) (with [Sch. 18](#)); [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)

Modifications etc. (not altering text)

- C1** S. 107 applied (27.7.2000) by [S.I. 2000/1864, art. 2, Sch. para. 1](#)

Changes to legislation:

Broadcasting Act 1996, Cross Heading: Unjust or unfair treatment or unwarranted infringement of privacy is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 97(1)-(2A) substituted for s. 97(1)(2) by [2003 c. 21 s. 299\(1\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 97(5A)(5B) inserted by [2003 c. 21 s. 299\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 101(1)-(1D) substituted for s. 101(1) by [2003 c. 21 s. 300\(2\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 101(5) inserted by [2003 c. 21 s. 300\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)