



Broadcasting Act 1996

1996 CHAPTER 55

PART II

DIGITAL TERRESTRIAL SOUND BROADCASTING

General provisions about licences

42 Licences under Part II.

- (1) Any licence granted by the Radio Authority (in this Part referred to as “the Authority”) under this Part shall be in writing and (subject to the provisions of this Part) shall continue in force for such period as is provided, in relation to a licence of the kind in question, by the relevant provision of this Part.
- (2) The Authority—
 - (a) shall not grant a licence to any person unless they are satisfied that he is a fit and proper person to hold it, and
 - (b) shall do all that they can to secure that, if they cease to be so satisfied in the case of any person holding a licence, that person does not remain the holder of the licence;and nothing in this Part shall be construed as affecting the operation of this subsection or of section 44(1) or (2)(b) or (c).
- (3) The Authority may vary a licence by a notice served on the licence holder if—
 - (a) in the case of a variation of the period for which a licence having effect for a specified period is to continue in force, the licence holder consents, or
 - (b) in the case of any other variation, the licence holder has been given a reasonable opportunity of making representations to the Authority about the variation.
- (4) Paragraph (a) of subsection (3) does not affect the operation of section 59(1)(b); and that subsection shall not authorise the variation of any condition included in a licence in pursuance of section 55(1).

Status: Point in time view as at 01/10/1996. This version of this provision has been superseded.

Changes to legislation: Broadcasting Act 1996, Section 42 is up to date with all changes known to be in force on or before 31 May 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)

- (5) A licence granted to any person under this Part shall not be transferable to any other person without the previous consent in writing of the Authority.
- (6) Without prejudice to the generality of subsection (5), the Authority shall not give their consent for the purposes of that subsection unless they are satisfied that any such other person would be in a position to comply with all of the conditions included in the licence which would have effect during the period for which it is to be in force.
- (7) The holding by any person of a licence to provide any service shall not relieve him of any requirement to hold a licence under section 1 of the ^{M1}Wireless Telegraphy Act 1949 or section 7 of the ^{M2}Telecommunications Act 1984 in connection with the provision of that service.

Marginal Citations

M1 1949 c. 54.

M2 1984 c. 12.

Status:

Point in time view as at 01/10/1996. This version of this provision has been superseded.

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