

SCHEDULES

SCHEDULE 2

EXCLUSIONS: OTHER COMPETITION SCRUTINY

PART III

BROADCASTING

Networking arrangements under the Broadcasting Act 1990 (c. 42)

- 5 (1) The Chapter I prohibition does not apply in respect of any networking arrangements to the extent to which they—
- (a) are subject to Schedule 4 to the Broadcasting Act 1990 (competition references with respect to networking arrangements); or
 - (b) contain provisions which have been considered under that Schedule.
- (2) The Independent Television Commission (“ITC”) must publish a list of the networking arrangements which in their opinion are excluded from the Chapter I prohibition by virtue of sub-paragraph (1).
- (3) The ITC must—
- (a) consult the Director before publishing the list, and
 - (b) publish the list in such a way as they think most suitable for bringing it to the attention of persons who, in their opinion, would be affected by, or likely to have an interest in, it.
- (4) In this paragraph “networking arrangements” means—
- (a) any arrangements entered into as mentioned in section 39(4) or (7)(b) of the Broadcasting Act 1990, or
 - (b) any agreements—
 - (i) which do not constitute arrangements of the kind mentioned in paragraph (a), but
 - (ii) which are made for the purpose mentioned in section 39(1) of that Act, or
 - (c) any modification of the arrangements or agreements mentioned in paragraph (a) or (b).