

## SCHEDULE

### Modifications of the 1996 Act in relation to multiplex licences

#### 3. Part 1 of the 1996 Act has effect as if after section 16 there were inserted—

“Revocation of multiplex licences for spectrum management reasons

**16A.**—(1) Where OFCOM have renewed a relevant multiplex licence on a second occasion under section 16, they may, with the consent of the Secretary of State, revoke the licence.

(2) OFCOM may only revoke the licence for reasons related to the management of the radio spectrum.

(3) OFCOM may not revoke the licence unless the proposed revocation is objectively justifiable.

(4) Where OFCOM propose to revoke the licence, they must give the holder of the licence a notification—

- (a) stating the reasons for the proposed revocation, and
- (b) specifying the period during which the person notified has an opportunity to make representations about the proposal.

(5) Where OFCOM have given a notification under subsection (4), they must, as soon as reasonably practicable after the end of the period for the making of representations—

- (a) decide whether or not to revoke the licence in accordance with their proposal, or in accordance with that proposal but with modifications;
- (b) give the holder of the licence a notification of their decision.

(6) The notification under subsection (5) must—

- (a) give reasons for the decision;
- (b) in accordance with that decision, revoke the licence or withdraw the proposal for a revocation;
- (c) where the decision is to revoke the licence, specify a date, not earlier than 31st December 2030 or five years after the date on which the notification is given (whichever is the later), on which the revocation takes effect.”.