



Broadcasting Act 1990

1990 CHAPTER 42

PART III

INDEPENDENT RADIO SERVICES

CHAPTER I

REGULATION BY AUTHORITY OF INDEPENDENT RADIO SERVICES GENERALLY

General provisions about licensed services

90 General requirements as to licensed services.

- (1) The Authority shall do all that they can to secure that every licensed service complies with the following requirements, namely—
 - (a) that nothing is included in its programmes which offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling;
 - (b) that any news given (in whatever form) in its programmes is presented with due accuracy and impartiality; and
 - (c) that its programmes do not include any technique which exploits the possibility of conveying a message to, or otherwise influencing the minds of, persons listening to the programmes without their being aware, or fully aware, of what has occurred.
- (2) The Authority shall, in the case of every licensed service which is a national, local, satellite or licensable sound programme service, do all that they can to secure that the service complies with the following additional requirements, namely—
 - (a) the appropriate requirement specified in subsection (3);
 - (b) that (without prejudice to the generality of subsection (1)(b) or (3)(a)) there are excluded from its programmes all expressions of the views and opinions of the

Status: Point in time view as at 31/01/2001. This version of this provision has been superseded.

Changes to legislation: Broadcasting Act 1990, Section 90 is up to date with all changes known to be in force on or before 13 August 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)

- person providing the service on matters (other than sound broadcasting) which are of political or industrial controversy or relate to current public policy; and
- (c) that due responsibility is exercised with respect to the content of any of its programmes which are religious programmes, and that in particular any such programmes do not involve—
- (i) any improper exploitation of any susceptibilities of those listening to the programmes, or
 - (ii) any abusive treatment of the religious views and beliefs of those belonging to a particular religion or religious denomination.
- (3) The appropriate requirement referred to in subsection (2)(a) is—
- (a) where the licensed service is a national service, that due impartiality is preserved on the part of the person providing the service as respects matters of political or industrial controversy or relating to current public policy;
 - (b) where the licensed service is a local, satellite or licensable sound programme service, that undue prominence is not given in its programmes to the views and opinions of particular persons or bodies on such matters.
- (4) In applying subsection (3)(a) to a national service a series of programmes may be considered as a whole; and in applying subsection (3)(b) to a local, satellite or licensable sound programme service the programmes included in that service shall be taken as a whole.
- (5) The Authority shall—
- (a) draw up, and from time to time review, a code giving guidance—
 - (i) as to the rules to be observed in determining what constitutes a series of programmes for the purposes of subsection (4),
 - (ii) as to the rules to be observed in other respects in connection with the application of subsection (3)(a) in relation to a national service, and
 - (iii) as to the rules to be observed in connection with the application of subsection (3)(b) in relation to a local, satellite or licensable sound programme service; and
 - (b) do all that they can to secure that the provisions of the code are observed in the provision of licensed services;
- and the Authority may make different provision in the code for different cases or circumstances.
- (6) The Authority shall publish the code drawn up under subsection (5), and every revision of it, in such manner as they consider appropriate.
- (7) Nothing in this section or in sections 91 to 96 has effect in relation to any licensed service which is an additional service.

Modifications etc. (not altering text)

C1 S. 90 applied (with modifications) (1.10.1996) by 1996 c. 55, s. 60(7)(8) (with s. 43(1)(6)); S.I. 1996/2120, art. 4, **Sch. 1**

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