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SCHEDULES

SCHEDULE 10

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

OTHER AMENDMENTS OF BROADCASTING ACT 1990

VALID FROM 01/04/1997

- 12 In section 2 of the 1990 Act (regulation by Commission of provision of television services), in subsection (4), in the definition of “television programme service”, after paragraph (a) there is inserted—
“(aa) a restricted service (as defined by section 42A);”.

VALID FROM 01/11/1996

- 13 In section 6 of the 1990 Act (general requirements as to licensed services), in subsection (8), for “the teletext service referred to in section 49(2)” there is substituted “ a teletext service ”.

VALID FROM 01/10/1996

- 14 In section 33 of the 1990 Act (conditions requiring holder of Channel 3 or Channel 5 licence to deliver licensed service), in subsection (3), after “subsection (1)” there is inserted “ or section 21A(3) or (4) ”.

- 15 (1) Section 43 of the 1990 Act (domestic and non-domestic satellite services) is amended as follows.
- (2) In subsection (3), after “shall”, where first occurring, there is inserted “ subject to subsection (3A) ”.
- (3) After that subsection there is inserted—
- “(3A) For the purposes of this Part, any non-domestic satellite service which is composed by, and transmitted for, a BBC company, a Channel 4 company or an S4C company—
- (a) shall be regarded as provided by that company and not by the relevant broadcasting body (even if the relevant broadcasting body

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is in a position to determine what is to be included in the service),
 and

(b) shall be regarded as provided from a place in the United Kingdom.”

(4) At the end of subsection (4) there is inserted—

““relevant broadcasting body” means—

- (a) in relation to a BBC company, the BBC,
- (b) in relation to a Channel 4 company, the Channel Four Television Corporation, and
- (c) in relation to an S4C company, the Welsh Authority.”

Commencement Information

II Sch. 10 para. 15 partly in force for certain purposes at 24.7.1996 see s. 149(1).

VALID FROM 01/10/1996

16 In section 46 of the 1990 Act (licensable programme services), in subsection (2) (a), after “television broadcasting service” there is inserted “ a multiplex service (as defined by section 1(1) of the Broadcasting Act 1996), a restricted service ”.

Commencement Information

I2 Sch. 10 para. 16 wholly in force at 1.4.1997; Sch. 10 para. 16 not in force at Royal Assent see s. 149; Sch. 10 para. 16 in force for certain purposes at 1.10.1996 by S.I. 1996/2120, art. 4, Sch. 1; Sch. 10 para. 16 in force at 1.4.1997 insofar as not already in force by S.I. 1997/1005, art. 4

VALID FROM 01/04/1997

17 In section 71 of the 1990 Act (interpretation of Part I), after the definition of “regional Channel 3 service” there is inserted—
 ““restricted service” has the meaning given by section 42A.”.

VALID FROM 01/04/1997

18 In section 72 of the 1990 Act (local delivery services), in subsection (2) after paragraph (a) there is inserted—
 “(aa) any restricted service (within the meaning of that Part);”.

19 (1) Section 84 of the 1990 Act (regulation by Radio Authority of independent radio services) is amended as follows.

(2) In subsection (3), after “shall”, where first occurring, there is inserted “ subject to subsection (3A) ”.

(3) After that subsection there is inserted—

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“(3A) For the purposes of this Part, any satellite service which is composed by, and transmitted for, a BBC company, a Channel 4 company or an S4C company—

- (a) shall be regarded as provided by that company and not by the relevant broadcasting body (even if the relevant broadcasting body is in a position to determine what is to be included in the service), and
- (b) shall be regarded as provided from a place in the United Kingdom.

(3B) In subsection (3A) “relevant broadcasting body” means—

- (a) in relation to a BBC company, the BBC,
- (b) in relation to a Channel 4 company, the Channel Four Television Corporation, and
- (c) in relation to an S4C company, the Welsh Authority.”

Commencement Information

- I3** Sch. 10 para. 19 wholly in force at 1.10.1996; Sch. 10 para. 19 in force for certain purposes at Royal Assent see s. 149(1); Sch. 10 para. 19 in force at 1.10.1996 by S.I. 1996/2120, art. 4, Sch. 1

VALID FROM 01/04/1997

20 In section 188 of the 1990 Act (power to give broadcasting bodies etc. directions relating to international obligations), in subsection (2)(e), for “Broadcasting Standards Council” there is substituted “Broadcasting Standards Commission”.

VALID FROM 01/04/1997

21 In section 202(1) of the 1990 Act (interpretation)—

- (a) after the definition of “broadcast” there is inserted—
 - ““a Channel 4 company” means—
 - (a) any body corporate which is controlled by the Channel Four Television Corporation, or
 - (b) any body corporate in which the Corporation or any body corporate falling within paragraph (a) above is (to any extent) a participant (as defined in paragraph 1(1) of Part I of Schedule 2);”
- (b) in the definition of “connected”, for “licence” there is substituted “person”, and
- (c) after the definition of “programme” there is inserted—
 - ““an S4C company” means—
 - (a) any body corporate which is controlled by the Welsh Authority, or
 - (b) any body corporate in which the Welsh Authority or any body corporate falling within paragraph (a) above is (to any extent) a participant (as defined in paragraph 1(1) of Part I of Schedule 2);”.

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Commencement Information

- I4** Sch. 10 para. 21 wholly in force: Sch. 10 para. 21 not in force at royal assent, see s. 149(2); Sch. 10 para. 21(a)(c) in force at 1.10.1996 by S.I. 1996/2120, art. 4, Sch. 1; Sch. 10 para. 21(b) in force at 1.11.1996 by S.I. 1996/2120, art. 5, Sch. 2

VALID FROM 01/04/1997

22 In paragraph 2(1) of Schedule 1 to the 1990 Act (persons disqualified for membership of the Independent Television Commission), for paragraphs (c) and (d) there is substituted—

“or

- (c) a member or employee of the Broadcasting Standards Commission.”

VALID FROM 01/04/1997

23 In paragraph 2(1) of Schedule 3 to the 1990 Act (persons disqualified for membership of the Channel Four Television Corporation), for paragraphs (d) and (e) there is substituted—

“or

- (d) a member or employee of the Broadcasting Standards Commission.”

VALID FROM 01/04/1997

24 In paragraph 2(1) of Schedule 6 to the 1990 Act (persons disqualified for membership of the Welsh Authority), for paragraphs (b) and (c) there is substituted—

“or

- (b) a member or employee of the Broadcasting Standards Commission.”

VALID FROM 01/04/1997

25 In paragraph 2(1) of Schedule 8 to the 1990 Act (persons disqualified for membership of the Radio Authority), for paragraphs (d) and (e) there is substituted—

“or

- (d) a member or employee of the Broadcasting Standards Commission.”

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- 26 In Schedule 19 to the 1990 Act (the Gaelic Broadcasting Committee: supplementary provisions)—
- (a) in paragraph 8—
 - (i) for “Gaelic Television Fund” there is substituted “ Gaelic Broadcasting Fund ”; and
 - (ii) in sub-paragraph (c), after “Commission” there is inserted “ and (where the expenses relate to the Commission’s functions in connection with sound programmes) the Radio Authority ”; and
 - (b) in paragraph 11(4)—
 - (i) after “Commission” there is inserted “ or the Radio Authority ”; and
 - (ii) for “them”, where it first occurs, there is substituted “ the Commission or, as the case may be, the Authority ”.

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