

Status: Point in time view as at 20/05/2016.

Changes to legislation: Communications Act 2003, Paragraph 52 is up to date with all changes known to be in force on or before 04 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)

SCHEDULES

SCHEDULE 15 **U.K.**

AMENDMENTS OF BROADCASTING ACTS

PART 1 **U.K.**

AMENDMENTS OF THE 1990 ACT

Additional radio services

- 52 (1) Section 114 of the 1990 Act (additional radio services) shall be amended as follows.
- (2) In subsection (1)—
- (a) for “telecommunication” there shall be substituted “ electronic ”; and
 - (b) for paragraphs (a) and (b) there shall be substituted “ on a relevant frequency ”.
- (3) In subsection (2), for paragraphs (a) and (b) there shall be substituted “any part of the signals which—
- (a) is not required for the purposes of the sound broadcasting service for the purposes of which the frequency has been made available; and
 - (b) is determined by OFCOM to be available for the provision of additional services;”.
- (4) After that subsection there shall be inserted—
- “(2A) At any time while an additional services licence is in force, OFCOM may, if they consider it appropriate to do so, modify or further modify the determination made for the purposes of that licence under subsection (2)(b); and where there has been such a modification or further modification, the licence shall have effect accordingly.
- (2B) A modification or further modification under subsection (2A) must not reduce the amount of spare capacity made available for the licensed services.”
- (5) In subsection (3), for the words from the beginning to “subsection (2)(a)” there shall be substituted “ OFCOM shall, when determining under subsection (2) ”.
- (6) For subsection (6) there shall be substituted—
- “(6) In this section “electronic signal” means a signal within the meaning of section 32 of the Communications Act 2003.
- (7) In this section and section 115 “relevant frequency” means a frequency made available by OFCOM for the purposes of a sound broadcasting service.”

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(7) This paragraph does not affect the validity of a licence granted or last renewed before the radio transfer date, or the services licensed by any such licence.

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Commencement Information

- I1** Sch. 15 para. 52(1)(2)(a) in force at 25.7.2003 by [S.I. 2003/1900](#), art. 2(1), [Sch. 1](#)
I2 Sch. 15 para. 52(2)(b) (3)-(7) in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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