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STATUTORY INSTRUMENTS

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**1991 No. 1408**

**The Broadcasting (Independent Productions) Order 1991**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Broadcasting (Independent Productions) Order 1991 and shall come into force on 1st January 1993.

(2) In this Order—

“the 1990 Act” means the Broadcasting Act 1990;

“programme” does not include an advertisement or any separate item whose duration is two minutes or less;

“relevant broadcaster” means, subject to article 2(4) below, the person who provides the television broadcasting service in which a percentage of qualifying programmes must be independent productions and “relevant television broadcasting service” means that service; and

“television broadcasting service” has the same meaning as in section 2(5) of the Broadcasting Act 1990.

(3) For the purposes of this Order a programme may be treated as being made by a particular person or persons notwithstanding that more than 75 per cent of the duration of the programme includes images or images and sounds which have been provided by some person other than that person or those persons provided that—

(a) the images or images and sounds so provided are not broadcast live; and

(b) changes of substance (whether by means of editing or otherwise) have been made to such images or images and sounds.