
EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies Part 2 of the Broadcasting Act 1996 (c.55) to create regulatory frameworks for small-scale radio multiplex services, a new category of digital radio transmission, and for community digital sound programme services, a new category of digital radio stations.

A multiplex is an apparatus for transmitting digital signals and is the means of transmission of digital radio stations. Radio multiplex services are licensed by the Office of Communications (Ofcom) under Part 2 of the 1996 Act – licences are currently awarded either for national or local (county-sized) coverage. Article 3 describes a new type of small-scale radio multiplex service. Part 1 of the Schedule sets out the modifications with which the provisions of Part 2 of the 1996 Act have effect in relation to small-scale radio multiplex services. Part 1 modifies the various procedures, provisions and conditions that are attached to the award of radio multiplex licences.

Digital sound programme services (digital radio stations) are also licensed by Ofcom under Part 2 of the 1996 Act – licences are currently awarded either for national or local services. Article 4 describes a community digital sound programme service as a form of digital sound programme service having a number of characteristics as set out in that article. Article 5 sets out the persons who are disqualified from holding a community digital sound programme licence. Part 2 of the Schedule sets out the modifications with which the provisions of Part 2 of the 1996 Act have effect in relation to community digital sound programme services. Part 2 modifies the various procedures, provisions and conditions that are attached to the award of digital sound programme licences.

Article 7 of this Order also amends the Community Radio Order 2004 (S.I. 2004/1994) to modify section 253A of the Communications Act 2003 (c. 21) (as it has effect in relation to community radio services) to allow for a holder of a community radio licence to apply for three extensions of the licence.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.