



Broadcasting Act 1981

1981 CHAPTER 68

PART I

THE INDEPENDENT BROADCASTING AUTHORITY

Advisory committees

16 General advisory council and specialist advisory committees etc.

- (1) The Authority may appoint, or arrange for the assistance of, advisory committees to give advice to the Authority and programme contractors on such matters as the Authority may determine; and a general advisory council may be appointed under this subsection.
- (2) Without prejudice to the generality of subsection (1), the Authority shall in particular appoint, or arrange for the assistance of, the following committees, namely—
 - (a) a committee representative of the main streams of religious thought in the United Kingdom, the Isle of Man and the Channel Islands, to give advice to the Authority as to the exercise of their functions in relation to any such items as are mentioned in section 4(5)(a), and on any other matters of a religious nature included in the programmes broadcast by the Authority, or in any publications issued by the Authority;
 - (b) a committee so constituted as to be representative of both—
 - (i) organisations, authorities and persons concerned with standards of conduct in the advertising of goods and services (including in particular the advertising of goods or services for medical or surgical purposes), and
 - (ii) the public as consumers,to give advice to the Authority with a view to the exclusion of misleading advertisements from the programmes broadcast by the Authority, and otherwise as to the principles to be followed in connection with the advertisements included in such programmes or in any publications issued by the Authority; and

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- (c) a committee consisting of persons who have, or are representative of authorities or organisations who have, special interest and experience in education, to give advice to the Authority, and in particular advice on the policy for, and planning of, broadcasts intended for reception by schools and other educational establishments.
- (3) The functions of the committee referred to in subsection (2)(b) of this section shall include the duty of keeping under review the code under section 9 and submitting to the Authority recommendations as to any alterations which appear to them to be desirable.
- (4) Before appointing a person to be the chairman of the committee referred to in subsection (2)(b) of this section, the Authority shall satisfy themselves that that person—
- (a) will have no financial or other interest in any advertising agency, and
 - (b) will have no such other financial or other interest in advertising as is in the opinion of the Authority likely to prejudice his independence as chairman;
- and the Authority shall also satisfy themselves from time to time that the chairman of that committee has no such interest as is described in paragraph (a) or (b) of this subsection.
- (5) The Authority shall, after consultation with such professional organisations as the Secretary of State may require and such other bodies or persons as the Authority think fit, appoint, or arrange for the assistance of, a medical advisory panel to give advice to the Authority as to—
- (a) advertisements for medicines and medical and surgical treatments and appliances,
 - (b) advertisements for toilet products which include claims as to the therapeutic or prophylactic effects of the products,
 - (c) advertisements for medicines and medical and surgical treatments for veterinary purposes,
- and such other advertisements as the Authority may think fit to refer to the panel.
- (6) The Authority shall consult the panel before drawing up the code under section 9 and in the course of any review of that code.
- (7) The Authority shall ensure that, before the first occasion on which they broadcast an advertisement which in their opinion falls under paragraph (a), (b) or (c) of subsection (5) of this section, the advertisement is, in accordance with arrangements approved by the Authority, referred to a member or members of the panel for advice.

Modifications etc. (not altering text)

- C1** Ss. 2(2)(a)(b), 3(1)(a)(b)(3)(4)(7), 4, 5, 8, 9, 14(1), 15, 16(1), 42, 61, 62 extended (*prosp.*) by Cable and Broadcasting Act 1984 (c. 46, SIF 96), ss. 44(1), 51(1), 59(4), **Sch. 4**
- C2** S. 16(2)(4)(5) amended by Cable and Broadcasting Act 1984 (c. 46, SIF 96), **s. 12(5)(a)**
- C3** S. 16(2)(b) amended by Cable and Broadcasting Act 1984 (c. 46, SIF 96), **s. 12(5)(a)(b)**
- C4** S. 16(3)(6) amended by Cable and Broadcasting Act 1984 (c. 46, SIF 96), **s. 12(5)(a)(c)**
- C5** S. 16(7) amended by Cable and Broadcasting Act 1984 (c. 46, SIF 96), **s. 12(5)(a)(d)**

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17 National advisory committees for Scotland, Wales and Northern Ireland.

- (1) In addition to the committees which are to be, or may be, appointed under section 16, the Authority shall appoint—
 - (a) an advisory committee for Scotland;
 - (b) an advisory committee for Wales; and
 - (c) an advisory committee for Northern Ireland.
- (2) The person for the time being holding office as the member of the Authority appointed pursuant to paragraph 1(2) of Schedule 1 to make the interests of Scotland, Wales or Northern Ireland, as the case may be, his special care shall be the chairman of the advisory committee appointed under this section for the part of the United Kingdom with which he is specially concerned.
- (3) Subject to subsection (2), each advisory committee appointed under this section (in this section referred to as a “national committee”)—
 - (a) shall be so constituted, and
 - (b) shall consist of persons selected by reference to such qualifications, as in the opinion of the Authority would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in the part of the United Kingdom for which the committee is appointed (in this section referred to, in relation to a national committee, as its area).
- (4) Before appointing a person to be a member of a national committee the Authority shall satisfy themselves that he—
 - (a) will have no financial or other interest in any advertising agency, and
 - (b) will have no such other financial or other interest in advertising as is in the opinion of the Authority likely to prejudice his independence as a member of that committee;and the Authority shall also satisfy themselves from time to time that each member of a national committee has no such interest as is described in paragraph (a) or (b) of this subsection.
- (5) The function of a national committee shall be—
 - (a) to give to the Authority, with respect to the conduct of their television broadcasting services for the area of the committee, such advice as in the opinion of the committee would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in that area; and
 - (b) to give to the Authority advice on such matters relating to the conduct of their local sound broadcasting services in that area as the Authority may from time to time specify.

18 Local advisory committees for local sound broadcasts.

- (1) In addition to the committees which are to be, or may be, appointed under section 16, the Authority shall also appoint local advisory committees in respect of all the localities for which local sound broadcasting services are provided by the Authority; and each such committee shall be appointed for an area consisting either of one such locality or of two or more such localities.
- (2) Subject to subsection (3), each such committee (in this section referred to as a “local committee”)—

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- (a) shall be so constituted, and
- (b) shall consist of persons selected by reference to such qualifications, as in the opinion of the Authority would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in the area for which the committee is appointed (in this section referred to, in relation to a local committee, as its area).
- (3) For each local committee the Authority shall invite the appropriate local authorities (either jointly or separately) to nominate persons with a view to their being appointed as members of the committee; and (unless the number of eligible persons so nominated for a local committee is insufficient for the purpose) the Authority shall appoint at least one-third of the members of each local committee from among persons so nominated.
- (4) Before appointing a person to be a member of a local committee the Authority shall satisfy themselves that he—
- (a) will have no financial or other interest in any advertising agency, and
- (b) will have no such other financial or other interest in advertising as is in the opinion of the Authority likely to prejudice his independence as a member of that committee;
- and the Authority shall also satisfy themselves from time to time that each member of a local committee has no such interest as is described in paragraph (a) or (b) of this subsection.
- In subsection (3) “eligible persons” means persons in respect of whom the Authority are satisfied that they have no such interest.
- (5) The function of a local committee shall be to give to the Authority, with respect to the conduct of their local sound broadcasting services for the area of the committee, such advice as in the opinion of the committee would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in that area.
- (6) In this section “appropriate local authority”, in relation to a local committee, means a local authority whose area consists of or includes the whole or part of the area of that committee, and “local authority”—
- (a) in relation to England and Wales, means any of the following, that is to say, the council of a county, district or London borough, . . . ^{F1}, the Common Council of the City of London and the Council of the Isles of Scilly;
- (b) in relation to Scotland, means a regional, islands or district council; and
- (c) in relation to Northern Ireland, means a district council.

Textual Amendments

F1 Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), **ss. 1, 102(2)(3), 17**

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