



# Broadcasting Act 1981

## 1981 CHAPTER 68

### PART I

#### THE INDEPENDENT BROADCASTING AUTHORITY

#### *Special provisions relating to the Fourth Channel*

#### **12 Provision of programmes (other than advertisements) for the Fourth Channel**

- (1) Subject to subsection (2), the Authority may, for the purpose of providing programmes (other than advertisements) for broadcasting on the Fourth Channel make such arrangements for obtaining and assembling the necessary material, enter into such contracts, employ such persons, acquire such property and do such things as may appear to them to be necessary or expedient.

This subsection is without prejudice to the generality of section 3(1) and paragraph 4(1) of Schedule 1.

- (2) The Authority shall arrange for the following activities involved in providing programmes (other than advertisements) for broadcasting on the Fourth Channel to be performed by a subsidiary of the Authority formed by them for the purpose, namely—
- (a) obtaining and assembling the necessary material; and
  - (b) such of the other activities involved in providing such programmes as appear to the Authority appropriate.
- (3) As respects the selection of programmes (other than advertisements) for broadcasting on the Fourth Channel it shall be the duty of the Authority—
- (a) to have regard, in particular, to their duties under section 11(1); and
  - (b) to secure that, so far as is consistent with their duties in relation to the Fourth Channel under sections 2(2) and 11, a substantial proportion of the programmes broadcast on the Fourth Channel are supplied otherwise than by persons of either of the following descriptions, namely a TV programme contractor and a body corporate under the control of a TV programme contractor.

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*Status: This is the original version (as it was originally enacted).*

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- (4) In this section "subsidiary" shall be construed in accordance with section 154 of the Companies Act 1948.