



Broadcasting Act 1990

1990 CHAPTER 42

PART X **U.K.**

MISCELLANEOUS AND GENERAL

Application of competition legislation

[^{F1}193 Modification of networking arrangements in consequence of competition legislation **U.K.**

- (1) Where [^{F2}the relevant authority] makes a relevant order, the order may also provide for the modification of any networking arrangements to such extent as may appear to the relevant authority to be requisite or expedient for the purpose of giving effect to, or taking account of, any provision made by the order.
- (2) In subsection (1) “relevant order” means—
 - (a) an order under section 75, 83 or 84 of, or paragraph 5, 10 or 11 of Schedule 7 to, the Enterprise Act 2002 where—
 - (i) one or more than one of the enterprises which have, or may have, ceased to be distinct enterprises was engaged in the provision of programmes for broadcasting in regional Channel 3 services; or
 - (ii) one or more than one of the enterprises which will or may cease to be distinct enterprises is engaged in the provision of such programmes;or
 - (b) an order under section 160 or 161 of that Act where the feature, or combination of features, of the market [^{F3}or markets] in the United Kingdom for goods or services which prevents, restricts or distorts competition relates to the provision of programmes for broadcasting in regional Channel 3 services.

[^{F4}(2A) In subsection (1), “relevant authority” means—

- (a) in relation to a relevant order falling within subsection (2)(a), the [^{F5}Competition and Markets Authority] or (as the case may be) the Secretary of State;

Changes to legislation: Broadcasting Act 1990, Section 193 is up to date with all changes known to be in force on or before 06 July 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) View outstanding changes

- (b) in relation to a relevant order falling within subsection (2)(b), the [F⁵Competition and Markets Authority], the Secretary of State or (as the case may be) OFCOM.]
- (3) Expressions used in subsection (2) and in Part 3 or (as the case may be) Part 4 of the Enterprise Act 2002 have the same meanings in that subsection as in that Part.
- (4) In this section —
- “networking arrangements” means any such arrangements as are mentioned in [F⁶section 290(4) of the Communications Act 2003]; and
- “regional Channel 3 service” has the meaning given by section 14(6) above.]

Textual Amendments

- F1** S. 193 substituted (20.6.2003) by Enterprise Act 2002 (c. 40), s. 279, **Sch. 9 para. 6**; S.I. 2003/1397, art. 2(1), Sch.
- F2** Words in s. 193(1) substituted (29.12.2003) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 15 para. 65(2)** (with Sch. 18); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)
- F3** Words in s. 193(2)(b) inserted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 71(a)** (with art. 3)
- F4** S. 193(2A) inserted (29.12.2003) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 15 para. 65(3)** (with Sch. 18); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)
- F5** Words in s. 193(2A) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 71(b)** (with art. 3)
- F6** Words in s. 193(4) substituted (29.12.2003) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 15 para. 65(4)** (with Sch. 18); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

Modifications etc. (not altering text)

- C1** S. 193(2)(a) extended (20.6.2003) by The Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003 (S.I. 2003/1592), art. 1(1), **Sch. 4 para. 9**

Changes to legislation:

Broadcasting Act 1990, Section 193 is up to date with all changes known to be in force on or before 06 July 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.

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Changes and effects yet to be applied to :

- s. 193(2)(a) word omitted by virtue of S.I. 2019/93, Sch. 1 para. 3A(2)(a) (as inserted) by [S.I. 2019/1245 reg. 20](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A applied (with modifications) by 2003 c. 21, Sch. 9 para. 8(7) (as substituted) by [2024 c. 15 s. 19\(6\)](#)
- s. 18A inserted by [2024 c. 15 s. 19\(3\)](#)
- s. 23A inserted by [2024 c. 15 s. 29\(2\)](#)
- s. 56A inserted by [2024 c. 15 s. 33\(3\)](#)
- s. 58(1)-(1C) substituted for s. 58(1)(1A) by [2024 c. 15 s. 35\(2\)](#)
- s. 61A(4A) inserted by [2024 c. 15 Sch. 4 para. 6\(4\)](#)
- s. 97B(5) inserted by [2024 c. 15 s. 41\(3\)](#)
- s. 104AA(4ZA)-(4ZC) inserted by [2024 c. 15 s. 42\(3\)\(b\)](#)
- s. 193(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 3A(2)(b) (as inserted) by [S.I. 2019/1245 reg. 20](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Sch. 2 Pt. 2 para. 2(1A)(d) omitted by [2024 c. 15 Sch. 2 para. 5\(a\)](#)
- Sch. 2 Pt. 2 para. 3(1)(a) word substituted by [2024 c. 15 Sch. 4 para. 15](#)
- Sch. 2 Pt. 2 para. 2(1B) words omitted by [2024 c. 15 Sch. 2 para. 5\(b\)](#)
- Sch. 3 para. 13(1A) inserted by [2024 c. 15 s. 29\(3\)](#)
- Sch. 6 para. 12(5)(6) inserted by [2024 c. 15 s. 34\(3\)](#)
- Sch. 6 para. 12(2A)-(2F) substituted for Sch. 6 para. 12(2)(3) by [2024 c. 15 s. 34\(2\)](#)
- Sch. 6A inserted by [2024 c. 15 s. 33\(4\)](#)
- Sch. 7 Pt. 1 para. 1(5) inserted by [2024 c. 15 s. 19\(5\)](#)