



# Broadcasting Act 1996

## CHAPTER 55

### BROADCASTING ACT 1996

#### PART I

##### DIGITAL TERRESTRIAL TELEVISION BROADCASTING

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- 1 Multiplex services and digital programme services.
- 2 Meaning of “independent analogue broadcaster” and “qualifying service”.

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- 4 General licence conditions.
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- 6 Assignment of frequencies by Secretary of State.
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- 8 Award of multiplex licences.
- 9 Power to require two or more multiplex licences to be granted to one person.
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- 11 Failure to begin providing licensed service and financial penalties on revocation of licence.
- 12 Conditions attached to multiplex licence.
- 13 Additional payments to be made in respect of multiplex licences.
- 14 Multiplex revenue.
- 15 Attribution of multiplex revenue to licence holder and others.

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- 16 Duration and renewal of multiplex licences.
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- 45 Assignment of frequencies by Secretary of State.

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- 66 Enforcement of digital additional services licences.

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- 69 Power to vary amount of financial penalties.
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- 71 Certain receipts of Authority to be paid into Consolidated Fund.
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113 Complaints relating to taste and decency, etc.

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116 Consideration of standards complaints.

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119 Publication of OFCOM's findings.

120 Reports on action taken voluntarily in response to findings on complaints.

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- 136 Services provided by BBC companies.

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*Computation of multiplex revenue*

- 1 (1) It shall be the duty of OFCOM to draw...

*Disputes*

- 2 (1) For the purposes of any provision of Part I...  
Part II — MULTIPLEX REVENUE FOR PURPOSES OF PART II OF THIS ACT

*Computation of multiplex revenue*

- 3 (1) It shall be the duty of OFCOM to draw...

*Disputes*

- 4 (1) For the purposes of any provision of Part II...

SCHEDULE 2 — Amendments of Broadcasting Act 1990 relating to restrictions on holding of licences

Part I — AMENDMENTS OF PART I OF SCHEDULE 2

- 1 (1) In Part I of Schedule 2, paragraph 1 (which...  
2 (1) Paragraph 2 of Part I of Schedule 2 is...  
3 For paragraph 3 of Part I of Schedule 2 there...  
4 After paragraph 3 of Part I of Schedule 2 there...  
5 In paragraph 4 of Part I of Schedule 2 (affirmative...

Part II — AMENDMENTS OF PART II OF SCHEDULE 2

- 6 (1) In Part II of Schedule 2, paragraph 1 (general...  
7 In paragraph 3 of Part II of Schedule 2 (disqualification...  
8 In paragraph 5 of Part II of Schedule 2 (general...  
9 After paragraph 5 of Part II of Schedule 2 there...

Part III — PROVISIONS SUBSTITUTED FOR PART III OF SCHEDULE 2

- 10 For Part III of Schedule 2 there is substituted— Part...

Part IV — PROVISIONS SUBSTITUTED FOR PART IV OF SCHEDULE 2

- 11 For Part IV of Schedule 2 there is substituted— Part...

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*Interpretation*

- 1 Broadcasting Standards Commission: supplementary provisions

*Status and capacity*

- 2 Broadcasting Standards Commission: supplementary provisions

*Appointment of members*

- 3 Broadcasting Standards Commission: supplementary provisions

*Tenure of office*

- 4 Broadcasting Standards Commission: supplementary provisions

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*Remuneration and pensions of members*

- 5 Broadcasting Standards Commission: supplementary provisions

*Disqualification of members of BSC for House of Commons and Northern Ireland Assembly*

- 6 Broadcasting Standards Commission: supplementary provisions

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- 7 Broadcasting Standards Commission: supplementary provisions  
8 Broadcasting Standards Commission: supplementary provisions  
9 Broadcasting Standards Commission: supplementary provisions

*Employees of the BSC*

- 10 Broadcasting Standards Commission: supplementary provisions

*Financial provisions*

- 11 Broadcasting Standards Commission: supplementary provisions

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- 12 Broadcasting Standards Commission: supplementary provisions

*Presumption of authenticity of documents issued by BSC*

- 13 Broadcasting Standards Commission: supplementary provisions

*Accounts and audit*

- 14 Broadcasting Standards Commission: supplementary provisions

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*Meaning of “the existing boards”*

- 1 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council

*Provisions as to vesting of property et cetera etc. of existing boards*

- 2 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council  
3 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council

*Pensions*

- 4 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council

*Final accounts and annual report of existing bodies*

- 5 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council



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- 6 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council
- 7 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council

*Final contributions towards cost of Broadcasting Complaints Commission*

- 8 Supplementary provisions relating to dissolution of Broadcasting Complaints Commission and Broadcasting Standards Council

SCHEDULE 5 — Transfer schemes relating to BBC transmission network:  
supplementary provisions

*Contents and effect of scheme*

- 1 (1) A transfer scheme may define the property, rights and...

*Division of BBC's undertaking by scheme*

- 2 (1) For the purposes of making any such division as...

*Property to which a scheme may relate*

- 3 (1) The property, rights and liabilities that shall be capable...

*Supplemental provisions of schemes*

- 4 (1) A transfer scheme may contain supplemental, incidental, consequential and...

*Certificate of Secretary of State as to vesting of property etc.*

- 5 A certificate issued by the Secretary of State to the...

*Duties in relation to foreign property etc.*

- 6 (1) It shall be the duty of the BBC and...

*Modification of scheme by agreement*

- 7 (1) This paragraph applies where any person to whom anything...

*Compensation*

- 8 (1) Where, in consequence of any provisions included in a...

*Notice to persons affected by scheme*

- 9 (1) It shall be the duty of the BBC, where...

*Consideration for transfer etc.*

- 10 (1) A transfer in accordance with a transfer scheme may...

SCHEDULE 6 — Transfer schemes relating to BBC transmission network:  
successor companies

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*Interpretation*

- 1 (1) In this Schedule— “the Charter” means the Royal Charter...

*Statutory accounts*

- 2 (1) The following provisions of this paragraph shall have effect...

*Distributable reserves*

- 3 (1) Where statutory accounts of a successor company prepared as...

*Dividends*

- 4 (1) Where a distribution is proposed to be declared during...

*Application of the Trustee Investments Act 1961*

- 5 (1) For the purpose of applying paragraph 3(b) of Part...

SCHEDULE 7 — Transfer schemes relating to BBC transmission network: taxation provisions

*Interpretation*

- 1 (1) In this Schedule, unless the context otherwise requires— ....

*Chargeable gains: preparatory transfers etc to be without gain or loss*

- 2 (1) For the purposes of corporation tax on chargeable gains,...

*Chargeable gains: amendment of section 35(3)(d) of the Gains Act*

- 3 In section 35(3)(d) of the Gains Act (list of provisions...

*Chargeable gains: section 41 of the Gains Act*

- 4 Subsection (1) of section 174 of the Gains Act (which...

*Chargeable gains: assets held before 6th April 1965*

- 5 Schedule 2 to the Gains Act (assets held on 6th...

*Chargeable gains: sale of successor company : group transactions*

- 6 (1) For the purposes of section 179 of the Gains...

*Chargeable gains: sale or exchange of shares or securities of successor company*

- 7 (1) Where a company issues shares or debentures to the...

*No chargeable gain or allowable loss to arise on any disposal constituted by a direct disposal transfer*

- 8 (1) For the purposes of corporation tax on chargeable gains,...

*Chargeable gains: value shifting*

- 9 (1) Nothing in Part VI of this Act, and no...

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*Chargeable gains: receipt of compensation or insurance money*

10 (1) Subsection (4) of section 23 of the Gains Act...

*Loan relationships: disposal of securities by BBC*

11 (1) This paragraph applies in any case where—

*Transfer of trade: loss relief and capital allowances*

12 (1) This paragraph applies in any case where, as a...

*Capital allowances: industrial buildings . . .*

13 (1) This paragraph applies in any case where there is...

*Capital allowances: plant and machinery*

14 (1) For the purposes of Part 2 of the Capital...

*Capital allowances: leased fixtures*

15 (1) This paragraph applies to any lease which is granted...

*Capital allowances: connected persons*

16 In Part 2 of the Capital Allowances Act (plant and...

*Capital allowances: agricultural buildings allowances*

17 (1) This paragraph applies where there is a relevant transfer...

*Corporation tax: BBC and successor company to be treated as one for certain purposes*

18 (1) If any property, rights or liabilities are transferred to...

*Corporation tax: no profit or loss under Case I of Schedule D by reason of a direct disposal transfer*

19 In determining for the purposes of Case I of Schedule...

*Corporation tax: group relief*

20 (1) None of the following, namely— (a) the existence of...

*Corporation tax: leases at an undervalue*

21 (1) Section 222 of the Corporation Tax Act 2009 (lease...

*Corporation tax: sale and lease-back*

22 (1) Sections 838 and 839 of the Corporation Tax Act...

*Corporation tax: sale of lease of land*

23 (1) Chapter 2 of Part 19 of the Corporation Tax...

*Corporation tax: leased assets*

24 (1) For the purposes of Chapter 4 of Part 19...

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*Stamp duty and stamp duty land tax*

- 25 (1) Stamp duty shall not be chargeable on any agreement...

*Stamp duty reserve tax*

- 26 (1) An agreement to transfer chargeable securities, as defined in...

*Modifications of transfer schemes*

- 27 (1) If the effect of any transfer scheme is modified...

*Orders*

- 28 (1) The Secretary of State shall not make an order...

SCHEDULE 8 — Amendments of Broadcasting Act 1990 relating to services provided by BBC companies

*Television services*

- 1 In section 3 of the 1990 Act (licences under Part...  
2 (1) Section 5 of that Act (restrictions on the holding...  
3 After section 66 of that Act there is inserted— Enforcement...  
4 In section 81 of that Act (enforcement of local delivery...

*Radio services*

- 5 In section 86 of that Act (licences under Part III)...  
6 (1) Section 88 of that Act (restrictions on the holding...  
7 After section 111 of that Act there is inserted— Enforcement...

*Meaning of “BBC company” for purposes of Broadcasting Act 1990*

- 8 In section 202 of that Act (interpretation), after the definition...

SCHEDULE 9 — Amendments of Copyright, Designs and Patents Act 1988 relating to cable programme services

- 1 For section 73 of the Copyright, Designs and Patents Act...  
2 (1) Section 134 of that Act (licences in respect of...  
3 In section 149 of that Act (jurisdiction of Copyright Tribunal),...  
4 In section 205B of that Act (jurisdiction of Copyright Tribunal...  
5 For paragraph 19 of Schedule 2 to that Act there...  
6 After paragraph 19 of Schedule 2 to that Act there...

SCHEDULE 10 — Minor and consequential amendments

Part I — AMENDMENTS OF BROADCASTING ACT 1990 RELATING TO DIGITAL TERRESTRIAL BROADCASTING

- 1 (1) Section 2 of the 1990 Act (regulation by Commission...  
2 In section 13 of the 1990 Act (prohibition on providing...  
3 In section 69 of the 1990 Act (frequency planning and...  
4 In section 72 of the 1990 Act (local delivery services),...  
5 In section 84 of the 1990 Act (regulation by Authority...  
6 In section 85 of the 1990 Act (licensing functions of...  
7 In section 97 of the 1990 Act (prohibition on providing...  
8 In section 112 of the 1990 Act (licensable sound programme...

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- 9 In section 126 of the 1990 Act (interpretation of Part...
- 10 In section 176 of the 1990 Act (duty to provide...
- 11 In section 201 of the 1990 Act (meaning of “programme...  
Part II — OTHER AMENDMENTS OF BROADCASTING ACT 1990
- 12 In section 2 of the 1990 Act (regulation by Commission...
- 13 In section 6 of the 1990 Act (general requirements as...
- 14 In section 33 of the 1990 Act (conditions requiring holder...
- 15 (1) Section 43 of the 1990 Act (domestic and non-domestic...
- 16 In section 46 of the 1990 Act (licensable programme services),...
- 17 In section 71 of the 1990 Act (interpretation of Part...
- 18 In section 72 of the 1990 Act (local delivery services),...
- 19 (1) Section 84 of the 1990 Act (regulation by Radio...
- 20 In section 188 of the 1990 Act (power to give...
- 21 In section 202(1) of the 1990 Act (interpretation)—
- 22 In paragraph 2(1) of Schedule 1 to the 1990 Act...
- 23 In paragraph 2(1) of Schedule 3 to the 1990 Act...
- 24 In paragraph 2(1) of Schedule 6 to the 1990 Act...
- 25 In paragraph 2(1) of Schedule 8 to the 1990 Act...
- 26 In Schedule 19 to the 1990 Act (the Gaelic Broadcasting...  
Part III — AMENDMENTS OF OTHER ENACTMENTS
  
- The Welsh Development Agency Act 1975 (c. 70)*
- 27 In section 19 of the Welsh Development Agency Act 1975...
  
- The Representation of the People Act 1983 (c. 2)*
- 28 In section 75 of the Representation of the People Act...
- 29 .....
- 30 Without prejudice to the generality of section 20(2) of the...
  
- The Copyright, Designs and Patents Act 1988 (c. 48)*
- 31 In section 69 of the Copyright, Designs and Patents Act...
- 32 In Schedule 2 to the Copyright, Designs and Patents Act...
  
- SCHEDULE 11 — Repeals and revocations
  - Part I — ENACTMENTS REPEALED
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