



# Broadcasting Act 1996

## 1996 CHAPTER 55

### PART I

#### DIGITAL TERRESTRIAL TELEVISION BROADCASTING

##### *Multiplex services*

#### 7 **Multiplex licences.**

- (1) Where [<sup>F1</sup>OFCOM] propose to grant a licence to provide a multiplex service (in this Part referred to as a “multiplex licence”) they shall publish, in such manner as they consider appropriate, a notice—
  - (a) stating that they propose to grant such a licence,
  - (b) specifying the frequency or frequencies on which the service is to be provided,
  - (c) specifying, in such manner as [<sup>F1</sup>OFCOM] consider appropriate, the area or areas in the United Kingdom within which the frequency or frequencies is or are to be available,
  - (d) inviting applications for the licence and specifying the closing date for such applications,
  - (e) specifying the fee payable on any application, and
  - (f) stating whether any percentage of multiplex revenue for each accounting period would be payable by an applicant in pursuance of section 13 if he were granted the licence and, if so, specifying that percentage.
- (2) Unless an order under section 13(2) is in force—
  - (a) the consent of the Secretary of State shall be required for so much of the notice as relates to the matters specified in subsection (1)(f), and
  - (b) [<sup>F1</sup>OFCOM] may if they think fit (with that consent) specify under subsection (1)(f)—
    - (i) different percentages in relation to different accounting periods falling within the period for which the licence would be in force, and
    - (ii) a nil percentage in relation to any accounting period so falling.

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- (3) When publishing a notice under subsection (1), [F<sup>1</sup>OFCOM] —
- (a) shall publish with the notice general guidance as to requirements to be met by proposals as to the matters referred to in subsection (4)(b)(i) and (ii) and (f), and
  - (b) may publish with the notice such other general guidance as they consider appropriate.
- (4) An application made in pursuance of a notice under subsection (1) must be in writing and accompanied by—
- (a) the fee specified in the notice under subsection (1)(e),
  - (b) a technical plan relating to the service which the applicant proposes to provide and indicating—
    - (i) the parts of the area specified under subsection (1)(c) which would be within the coverage area of the service,
    - (ii) the timetable in accordance with which that coverage would be achieved, and
    - (iii) the technical means by which it would be achieved,
  - (c) the applicant’s proposals as to the number of digital programme services to be broadcast, as to the characteristics of each of those services and as to the areas in which they would be provided,
  - [F<sup>2</sup>(ca) the applicant’s proposals as to the number (if any) of digital sound programmes services which are to be broadcast, as to the characteristics of each of those services and as to the areas in which they would be provided;]
  - (d) the applicant’s proposals as to the timetable in accordance with which the broadcasting of each of [F<sup>3</sup>the services mentioned in paragraphs (c) and (ca)] would begin,
  - (e) the applicant’s proposals as to the broadcasting of digital additional services,
  - (f) the applicant’s proposals for promoting or assisting the acquisition, by persons in the proposed coverage area of the service, of equipment capable of receiving all the multiplex services available in that area,
  - (g) such information as [F<sup>1</sup>OFCOM] may reasonably require as to the applicant’s present financial position and his projected financial position during the period for which the licence would be in force, and
  - (h) such other information as [F<sup>1</sup>OFCOM] may reasonably require for the purpose of considering the application.
- (5) In subsection (4)(f) “acquisition” includes acquisition on hire or loan.
- (6) At any time after receiving such an application and before determining it, [F<sup>1</sup>OFCOM] may require the applicant to furnish additional information under any of paragraphs (b) to (h) of subsection (4).
- (7) Any information to be furnished to [F<sup>1</sup>OFCOM] under this section shall, if they so require, be in such form or verified in such manner as they may specify.
- (8) [F<sup>1</sup>OFCOM] shall, as soon as reasonably practicable after the date specified in a notice under subsection (1) as the closing date for applications, publish in such manner as they consider appropriate—
- (a) the following matters, namely—
    - (i) the name of every person who has made an application to them in pursuance of the notice,

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- (ii) the proposals submitted by him under subsection (4)(c), and
  - (iii) such other information connected with his application as [<sup>F1</sup>OFCOM] consider appropriate; and
- (b) a notice—
- (i) inviting representations to be made to them with respect to any of the applications, and
  - (ii) specifying the manner in which, and the time by which, any such representations are to be so made.

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**Textual Amendments**

- F1** Words in s. 7 substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 79\(2\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F2** S. 7(4)(ca) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 79\(3\)\(a\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F3** Words in s. 7(4)(d) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 15 para. 79\(3\)\(b\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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**Modifications etc. (not altering text)**

- C1** S. 7(1)(f) restricted (*temp.* from 20.11.1996 to 29.9.2002) in relation to any notice published by the Commission by [S.I. 1996/2759](#), [arts. 2, 3](#)

**Changes to legislation:**

Broadcasting Act 1996, Section 7 is up to date with all changes known to be in force on or before 23 June 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 :**

- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

**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. 54(1)(i)(j) inserted by [2024 c. 15 s. 47\(6\)\(a\)\(iii\)](#)
- s. 97(1)-(2A) substituted for s. 97(1)(2) by [2003 c. 21 s. 299\(1\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 97(3)(c) and word inserted by [2024 c. 15 Sch. 2 para. 12\(3\)\(b\)](#)
- s. 97(5A)(5B) inserted by [2003 c. 21 s. 299\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 98(1)-(2D) substituted for s. 98(1)(2) by [2024 c. 15 s. 20\(2\)](#)
- s. 98(7)-(9) inserted by [2024 c. 15 s. 20\(4\)](#)
- s. 101(1)-(1D) substituted for s. 101(1) by [2003 c. 21 s. 300\(2\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 101(5) inserted by [2003 c. 21 s. 300\(4\)](#) (Ss. 299(1)(3)(4), 300 were due to be commenced on 30.6.2004 by S.I. 2003/3142, art. 4(3), but that commencing provision was omitted (8.6.2004) by virtue of S.I. 2004/1492, art. 2)
- s. 102(A1)(B1) inserted by [2024 c. 15 Sch. 2 para. 16\(2\)](#)
- s. 104A(2)-(11) inserted by [2024 c. 15 s. 24\(3\)](#)
- s. 104A(12) s. 104A(2) renumbered as s. 104A(12) by [2024 c. 15 s. 24\(2\)](#)
- s. 104A(13) inserted by [2024 c. 15 s. 24\(4\)](#)
- s. 104B inserted by [2024 c. 15 s. 24\(5\)](#)
- s. 104ZA(1)(aa) inserted by [2024 c. 15 s. 23\(2\)\(b\)](#)
- s. 104ZA(2A)(2B) inserted by [2024 c. 15 s. 23\(4\)](#)
- s. 105(1A)-(1D) inserted by [2024 c. 15 Sch. 2 para. 19\(7\)](#)
- s. 107(1A)(1B) inserted by [2024 c. 15 Sch. 7 para. 2\(2\)\(b\)](#)
- s. 111(4A)-(4C) inserted by [2024 c. 15 Sch. 7 para. 2\(4\)\(b\)](#)
- s. 115(9)(c) and word inserted by [2024 c. 15 Sch. 7 para. 2\(5\)\(b\)](#)
- s. 119(7D) inserted by [2024 c. 15 Sch. 7 para. 2\(6\)\(a\)](#)
- s. 119(11A)(c) and word inserted by [2024 c. 15 Sch. 7 para. 2\(6\)\(d\)](#)
- s. 120(3A) inserted by [2024 c. 15 Sch. 7 para. 2\(7\)\(a\)](#)