

Status: Point in time view as at 29/12/2003.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Communications Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 13

FINANCIAL PENALTIES UNDER THE BROADCASTING ACTS

PART 2

BROADCASTING ACT 1996

Revocation of television multiplex licences

- 11 (1) In subsection (5) of section 11 (penalty on revocation of television multiplex licence), the words from “not exceeding” onwards shall be omitted.
- (2) For subsection (6) of that section (amount of penalty) there shall be substituted—
- “(5A) The maximum amount which a person may be required to pay by way of a penalty under subsection (5) is the maximum penalty given by subsections (5B) and (5C).
- (5B) In a case where the licence is revoked under this section or the penalty is imposed before the end of the first complete accounting period of the licence holder to fall within the period for which the licence is in force, the maximum penalty is whichever is the greater of—
- (a) £500,000; and
- (b) 7 per cent. of the amount which OFCOM estimate would have been the multiplex revenue for the first complete accounting period of the licence holder falling within the period for which the licence would have been in force.
- (5C) In any other case, the maximum penalty is whichever is the greater of—
- (a) £500,000; and
- (b) 7 per cent. of the multiplex revenue for the last complete accounting period of the licence holder falling within the period for which the licence is in force.
- (5D) Section 14 applies for estimating or determining multiplex revenue for the purposes of subsection (5B) or (5C) above.”
- (3) This paragraph applies only in a case of a revocation in relation to which—
- (a) the notice required by section 11(2) of the 1996 Act, or
- (b) the notice revoking the licence,
- is served after the commencement of this paragraph.

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Commencement Information

II Sch. 13 para. 11 in force at 29.12.2003 by S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

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