

SCHEDULES

SCHEDULE 15

AMENDMENTS OF BROADCASTING ACTS

PART 2

AMENDMENTS OF THE 1996 ACT

Licences under Part 2 of the 1996 Act

- 102 (1) Section 42 of the 1996 Act (licences under Part 2) shall be amended as follows.
- (2) In subsection (1), for “the Radio Authority (in this Part referred to as “the Authority”)” there shall be substituted “OFCOM”.
- (3) In subsections (2), (5) and (6), for “The Authority” and “the Authority”, wherever occurring, there shall be substituted “OFCOM”.
- (4) For subsection (3) (variation of licences) there shall be substituted—
- “ (3) OFCOM may vary a licence by a notice served on the licence holder.
- (3A) OFCOM shall not vary—
- (a) the period for which a licence having effect for a specified period is to continue in force, or
- (b) increase the total amount of digital capacity specified in a national radio multiplex licence for the purposes of section 48(1A),
- unless the licence holder consents.
- (3B) OFCOM shall not make any other variation of a licence unless the licence holder has been given a reasonable opportunity of making representations to OFCOM about the variation.”
- (5) In subsection (4) (exceptions from power to vary licences), for “Paragraph (a) of subsection (3)” there shall be substituted “Paragraph (a) of subsection (3A)”.
- (6) For subsection (7) there shall be substituted—
- “ (7) The holding of a licence by a person shall not relieve him—
- (a) of any liability in respect of a failure to hold a licence under section 1 of the Wireless Telegraphy Act 1949; or
- (b) of any obligation to comply with requirements imposed by or under Chapter 1 of Part 2 of the Communications Act 2003 (electronic communications networks and electronic communications services).”