



# Communications Act 2003

## 2003 CHAPTER 21

### PART 3

#### TELEVISION AND RADIO SERVICES

### CHAPTER 2

#### REGULATORY STRUCTURE FOR INDEPENDENT TELEVISION SERVICES

##### *Meaning of initial expiry date*

#### **224 Meaning of “initial expiry date”**

- (1) Subject to any postponement under this section, the date which is the initial expiry date for the purposes of this Part is 31st December 2014.
- (2) The Secretary of State may (on one or more occasions) by order postpone the initial expiry date.
- (3) The Secretary of State’s power to postpone the initial expiry date—
  - (a) is to be exercisable before 30th June 2013 only if he has fixed a date after 30th June 2013 as the date for digital switchover; and
  - (b) is not to be exercisable on or after 30th June 2013 if he has fixed 30th June 2013 or an earlier date as the date for digital switchover.
- (4) Where the Secretary of State makes an order under this section at a time after he has fixed a date for digital switchover, the date to which the initial expiry date is postponed must be a date not less than eighteen months after the date for digital switchover.
- (5) The Secretary of State must exercise his power to postpone the initial expiry date if it at any time appears to him that that date would otherwise fall within the period of eighteen months immediately following the date fixed for digital switchover.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Where an order under this section extends a licensing period for which a licence has been granted in accordance with section 214 or 219, the 1990 Act and this Part shall have effect (subject to subsection (7)) as if the licence had originally been granted for the extended period.
- (7) Where an order under this section extends the period for which a licence is to continue in force—
- (a) that order shall not affect the earliest time at which an application for the renewal of that licence may be made in accordance with section 216(2)(a) or 222(2)(a);
  - (b) as soon as reasonably practicable after making the order, OFCOM must make such modification of any determination made by them in the case of that licence for the purposes of section 216(2)(b) or 222(2)(b) as they consider appropriate in consequence of the extension; and
  - (c) neither section 216(3)(a) nor section 222(3)(a) applies to the making of that modification.
- (8) In this section a reference to the date for digital switchover is a reference to the date fixed by the Secretary of State for the purposes of this section as the date which appears to him, in consequence of directions given by him for the purposes of the conditions of the licences for the relevant public broadcasting services, to be the date after which none of those services will be broadcast to any significant extent in analogue form.
- (9) In this section “the relevant public broadcasting service” means any of the following—
- (a) the services comprised in Channel 3; and
  - (b) Channel 5.