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STATUTORY INSTRUMENTS

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**1996 No. 3151**

**The Advanced Television Services Regulations 1996**

**PART I**  
**INTRODUCTORY**

**Citation and commencement**

1. These Regulations may be cited as the Advanced Television Services Regulations 1996 and shall come into force on 7th January 1997.

**Revocation**

2. The Advanced Television Services (Industrial Property Rights) Regulations 1996(1) are hereby revoked.

**Interpretation**

3.—(1) In these Regulations, “the Directive” means Directive [95/47/EC](#) of the European Parliament and of the Council on the use of standards for the transmission of television signals(2), and words and expressions used in these Regulations shall, unless the context otherwise requires, have the same meaning as in the Directive.

(2) In these Regulations—

“the 1984 Act” means the Telecommunications Act 1984(3);

“the 1990 Act” means the Broadcasting Act 1990(4);

“the 1996 Act” means the Broadcasting Act 1996(5);

“advanced television services” includes wide-screen television services, high definition television services and television services using fully digital transmission systems;

“the Article 4(e) procedures” has the meaning given by regulation 15(1);

“the BBC” means the British Broadcasting Corporation;

“broadcaster” includes a multiplex operator;

“the Commission” means the Commission of the European Communities;

“the Community” means the European Community;

“domestic satellite licence” means a licence granted under section 44 of the 1990 Act;

“essential component” means the smart card or other technological component in electronic or tangible form, which is necessary for the reception of authorisation signals and thus to enable

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(1) S.I.1996/2185.

(2) O.J. No. L281, 23.11.95, p. 51.

(3) [1984 c. 12](#).

(4) [1990 c. 42](#).

(5) [1996 c. 55](#).

subscribers to view digital television services, in or upon which is mapped the subscriber's viewing entitlements, for insertion or incorporation into or other interoperation with the decoder;

“the ITC” means the Independent Television Commission;

“local delivery service licence” means both a licence granted under Part II of the 1990 Act and a licence to provide a prescribed diffusion service continuing in force by virtue of section 134 and Part II of Schedule 12 of the 1990 Act;

“multiplex operator” means a person holding a licence granted under Part I of the 1996 Act to provide a multiplex service as defined by section 1(1) of that Act;

“non-domestic satellite licence” means a licence granted under section 45 of the 1990 Act;

“recognised European standardisation body” means the European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (CENELEC) and the European Telecommunication Standards Institute (ETSI);

“rent out” in relation to any television set or other equipment means the first supplying of that set or equipment pursuant to the making of a rental agreement;

“sell” includes transfer by means of conditional sale or hire purchase, and “offer for sale” and “expose for sale” shall be construed accordingly; and

“wide-screen television service” means a television service consisting of programmes produced and edited to be displayed on a wide screen format; and for the purposes of this definition, the 16:9 format is the reference format for wide-format television services, and “wide-screen format”, “wide-screen 16:9 format” and “wide-format services” shall be construed accordingly.

(3) Any provision of these Regulations which is expressed as applying irrespective of the means of transmission of the television services concerned applies whether the services are transmitted by cable, satellite or terrestrial means.

(4) In these Regulations, unless the context otherwise requires, and subject to (1) above, words and expressions shall have the same meaning as in the 1984 Act.

(5) A reference in these Regulations to a licence of any description is, save in paragraph 3 of Schedule 1, a reference to a licence of that description whether granted before or after these Regulations come into force, provided however that nothing in these Regulations which has effect as a provision of such a licence shall be taken to have effect in respect of any period before these Regulations come into force.