

**2004 No. 1114**

**ELECTRONIC COMMUNICATIONS**

**BROADCASTING**

**The Broadcasting and Communications (Jersey) (No. 3) Order  
2004**

*Made* - - - - *14th April 2004*

*Coming into force* - - *23rd April 2004*

At the Court at Windsor Castle, the 14th day of April 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty in exercise of the powers conferred upon Her by sections 402(3)(b) and (c) and 411(6) and (8) of the Communications Act 2003(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Broadcasting and Communications (Jersey) (No. 3) Order 2004 and shall come into force on 23<sup>rd</sup> April 2004.

2. The Communications (Jersey) Order 2003(b) is amended as follows—

- (a) in article 6, for the words “Chapter 4 (Regulatory provisions)” to “to 347;” substitute—  
“Chapter 4 (Regulatory provisions), sections 263, 264, 271, 275 to 298, 299 except subsections (1), (3) and (4), 301 to 315, 319 to 332, 334 to 336, 338 and 344 to 347;”;
- (b) in Schedule 2 (Modifications with which provisions of the Communications Act 2003 extend to Jersey), omit paragraph 62.

*A.K.Galloway*  
Clerk to the Privy Council

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(a) 2003 c.21, extended in part to Jersey by S.I. 2003/3197 and 2004/308.  
(b) S.I. 2003/3197, which was amended by S.I. 2004/308 and 2004/716.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order further amends the Communications (Jersey) Order 2003 (S.I. 2003/3197) (the 2003 Order), which extended, in part, the Communications Act 2003 (the 2003 Act) to the Bailiwick of Jersey (Jersey).

In particular the Order amends article 6 of the 2003 Order, in so far as it extends sections 299(1), (3) and (4) and 300 of the 2003 Act to Jersey, and consequent modifications in Schedule 2 to the 2003 Order. These provisions, which amend the Broadcasting Act 1996 (1996 c.55), concern the regulation of the broadcasting of sporting and other events of national interest.

It had been intended that article 6, in so far as it relates to these provisions, would come into effect on 30<sup>th</sup> June 2004 under the Office of Communications Act 2002 (Commencement No. 3) and Communications Act 2003 (Commencement No. 2) Order 2003 (S.I. 2003/3142/c.125) (the Commencement Order). This was the same date that the provisions were to come into force in the United Kingdom.

However, the Department for Culture, Media and Sport, which has responsibility for the implementation of the 2003 Act, now intends to remove the commencement provision in relation to sections 299(1), (3) and (4) and 300 without for the time being specifying an alternative commencement date.

So as to ensure the co-ordinated implementation of the provisions of the 2003 Act across the United Kingdom and the Crown Dependencies, article 6 has been amended so that sections 299(1), (3) and (4) and 300 will not be extended on 30<sup>th</sup> June 2004.

Section 299(2) of the 2003 Act came into force and was extended to Jersey on 29<sup>th</sup> December 2003.

The 2003 Order has previously been amended by the Broadcasting and Communications (Jersey) Order 2004 (S.I. 2004/308) [which also extended other provisions of the 2003 Act] and the Broadcasting and Communications (Jersey) (No. 2) Order 2004 (S.I. 2004/716).

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