
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 this Order amends article 6 of the 2003 Order so as to extend sections 231(1), 231(2)(c) and sections 265 to 270 of the 2003 Act to Jersey and amends Schedule 2 to the 2003 Order to take account of consequential modifications. The remaining provisions of section 231 were extended by the 2003 Order.

Section 231(2)(c) requires OFCOM to grant the Channel 4 Television Corporation (“C4C”) a replacement licence which requires C4C to provide a television service in digital form, subject to the terms and conditions set out in subsections (3) to (9) of section 231.

Section 231(1) of the Act provides for the cessation of the licence under which Channel 4 has been providing a service and for the coming into force of the replacement licence granted to C4C under section 231(2)(c). Sections 265 to 269 of the Act define the public service remits for the licensed public service channels and the public teletext service and make provision for the preparation of statements of programme and service policy and for a degree of self-regulation by the relevant providers. Section 270 gives OFCOM powers to enforce the public service remits, including the power to replace self-regulation with specific conditions imposed by OFCOM.

Section 231(2)(c) and sections 231(1) and 265 to 270 of the 2003 Act were brought into force in the United Kingdom by the Communications Act 2003 (Commencement No.3) Order 2004 ([S.I. 2004/3309](#) (c. 150)). Section 231(2)(c) came into force on 10th December 2004. Sections 231(1) and 265 to 270 on 28th December 2004, the day on which the replacement licence granted to C4C came into force in the United Kingdom.

Other provisions of the 2003 Act were extended by the Broadcasting and Communications (Jersey) Order 2004 ([S.I. 2004/308](#)), which also amended the 2003 Order. The 2003 Order was further amended by the Broadcasting and Communications (Jersey) (No.2) Order 2004 ([S.I. 2004/716](#)) and the Broadcasting and Communications (Jersey) (No.3) Order 2004 ([S.I. 2004/1114](#)).