

2006 No. 2793

BROADCASTING

ELECTRONIC COMMUNICATIONS

**The Broadcasting Digital Terrestrial Sound (Technical Service)
Order 2006**

<i>Made</i>	- - - -	<i>18th October 2006</i>
<i>Laid before Parliament</i>		<i>19th October 2006</i>
<i>Coming into force</i>	- -	<i>13th November 2006</i>

The Secretary of State, in exercise of the powers conferred by section 63(3)(b) of the Broadcasting Act 1996(a), makes the following Order:

Citation, commencement and extent

- 1.—(1) This Order may be cited as the Broadcasting Digital Terrestrial Sound (Technical Service) Order 2006.
- (2) This Order comes into force on 13th November 2006.
- (3) This Order does not extend to the Isle of Man(b).

Specification of technical services

2. In article 2 of the Broadcasting Digital Terrestrial Sound (Technical Service) Order 1998(c) (service specified as “technical service” for the purpose of section 63(3)(b) of the Broadcasting Act 1996), after “digital sound programme services”, insert “, television licensable content services”.

18th October 2006

Shaun Woodward
Minister for Creative Industries and Tourism
Department for Culture, Media and Sport

(a) 1996 c.55. Section 63 was amended by section 260 of the Communications Act 2003 and by article 5(10) of the Television Licensable Content Services Order 2006 (SI 2006/2131). It extends to Jersey by virtue of article 2(b) of SI 2003/3203; to Guernsey by virtue of article 2(b) of SI 2003/3192; and to the Isle of Man by virtue of article 2(b) of SI 2003/3193.

(b) Section 63(3) has effect as if any order made under it which is for the time being in force in the United Kingdom had extended to the Bailiwick of Jersey and the Bailiwick of Guernsey: see paragraph 2 of Schedule 1 to SI 2003/3203 and paragraph 2 of Schedule 1 to SI 2003/3192, respectively.

(c) SI 1998/685. Article 2 of that Order was amended by paragraph 42 of Part 5 of Schedule 1 to SI 2003/2155.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the meaning of a technical service for the purpose of section 63(3)(b) of the Broadcasting Act 1996 because it is now possible for certain television services to be carried on a digital radio multiplex service.

A technical service must be defined in order for it to be distinguished from a digital additional service, which will be licensed by Ofcom under section 64 of the 1996 Act. The Broadcasting Digital Terrestrial Sound (Technical Service) Order 1998 specifies for that purpose a service consisting of the transmission of electronic signals which control access to programmes or other information included in digital sound programme services or digital additional services. This Order amends the 1998 Order so that a service consisting of the transmission of such signals controlling access to programmes or other information included in television licensable content services is also specified for that purpose.

The amendment is needed because the Television Licensable Content Services Order 2006 (SI 2006/2131) amended both the 1996 Act and the Communications Act 2003 to allow television licensable content services (see section 232 of the 2003 Act) to be carried on a digital radio multiplex service, alongside digital sound programme services and digital additional services.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

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