

2013 No. 1854

ELECTRONIC COMMUNICATIONS

BROADCASTING

**The Enterprise and Regulatory Reform Act 2013 (Broadcasting
Consequential Amendments) Order 2013**

<i>Made</i> - - - -	<i>18th July 2013</i>
<i>Laid before Parliament</i>	<i>24th July 2013</i>
<i>Coming into force</i> - -	<i>14th August 2013</i>

The Secretary of State, in exercise of the powers conferred by section 99(1) and (2) of the Enterprise and Regulatory Reform Act 2013(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Enterprise and Regulatory Reform Act 2013 (Broadcasting Consequential Amendments) Order 2013 and comes into force on 14th August 2013.

Consequential amendments

2. In the Communications (Television Licensing) Regulations 2004(b) omit regulations 10 and 11.

3. In article 3 of the Wireless Telegraphy (Control of Interference from Videosenders) Order 1998(c)—

- (a) omit the definition of “the 1967 Act”;
 - (b) before the definition of “television set”, insert the following—
 - ““computer apparatus” means apparatus which—
 - (a) is designed or adapted to be used (either alone or in association with other apparatus) for storing or processing data, but not for doing so in connection with the reception by means of wireless telegraphy of television programme services; and
 - (b) is not offered for sale or letting as apparatus for use (either alone or in association with other apparatus) primarily for or in connection with the reception (whether by means of wireless telegraphy or otherwise) of such services;
- and “processing” includes displaying.”; and

(a) 2013 c. 24.
(b) S.I. 2004/692, as amended by S.I. 2006/619. There have been further amendments to S.I. 2004/692 which are not relevant to this Order.
(c) S.I. 1998/722.

- (c) in the definition of “television set”, for the words “has the meaning given to it by section 6(1) of the 1967 Act” substitute—

“means any apparatus which (either alone or in association with other apparatus) is capable of receiving (whether by means of wireless telegraphy or otherwise) any television programme service but is not computer apparatus or a mobile telephone”.

18th July 2013

Ed Vaizey
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations make amendments to secondary legislation in consequence of the repeal of the Wireless Telegraphy Act 1967 (“the 1967 Act”) at section 73 of and Schedule 21 to the Enterprise and Regulatory Reform Act 2013.

Regulation 2 omits the definitions of “television dealer” and “television set” in regulations 10 and 11 of the Communications (Television Licensing) Regulations 2004; both of these definitions rely on section 6(1) of the 1967 Act.

Regulation 3 amends article 3 of the Wireless Telegraphy (Control of Interference from Videosenders) Order 1998. Article 3 of that Order defines “television set” by reference to section 6(1) of the 1967 Act. The repeal of section 6(1) of the 1967 Act means that a new definition is required in article 3 of the 1998 Order. Regulation 3 therefore inserts into article 3 of that Order the definition of “television set” formerly used in article 11 of the 2004 Regulations.

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