
STATUTORY INSTRUMENTS

2019 No. 224

The Broadcasting (Amendment) (EU Exit) Regulations 2019

Direction under section 23 of Communications Act 2003

7.—(1) This regulation applies to the exercise by OFCOM of a function under the enactments relating to broadcasting so far as the obligations of the United Kingdom under the European Convention on Transfrontier Television are relevant to that function.

(2) In considering for the purposes of Article 3 of the European Convention on Transfrontier Television (field of application), whether a television satellite service provided by a person who is within the jurisdiction of one CTT State can be received, directly or indirectly, in another CTT State (“the relevant State”), OFCOM must treat the service as one that can be so received if, but only if, the service—

- (a) can be received by the general public in all parts of the relevant State using standard consumer equipment, and
- (b) can be accessed in the relevant State by means of an electronic programme guide which—
 - (i) is licensed or otherwise regulated under the law of the relevant State, or
 - (ii) if the relevant State is a State other than the United Kingdom whose law does not regulate the provision of electronic programme guides, is provided by a person whose head office is in the relevant State.

(3) In this regulation—

“electronic programme guide” has the meaning given by section 310(8) of the Communications Act 2003;

“television satellite service” means a service which consists of or involves the broadcasting of television programme services from a satellite.