



# Broadcasting Act 1996

## 1996 CHAPTER 55

### PART VI

#### THE BRITISH BROADCASTING CORPORATION

##### *Transfer of property, rights and liabilities relating to BBC transmission network*

#### **132 Powers of Secretary of State in relation to transfer schemes**

- (1) A transfer scheme shall not take effect unless it is approved by the Secretary of State; and where such a scheme is submitted to the Secretary of State for his approval, he may modify the scheme before approving it.
- (2) Subject to subsection (3), the Secretary of State shall not approve a transfer scheme containing any provision in accordance with which any person other than a wholly-owned subsidiary of the BBC becomes entitled or subject to any property, rights and liabilities unless it appears to the Secretary of State that the person has consented to the provisions of the scheme so far as they relate to him.
- (3) Subsection (2) shall not require the consent of any person to so much of a transfer scheme as—
  - (a) relates to property, rights or liabilities to which that person is already entitled or subject, and
  - (b) appears to the Secretary of State to be made for purposes that are no more than supplemental or incidental to the other provisions of the scheme.
- (4) Before—
  - (a) declining to approve a transfer scheme, or
  - (b) modifying such a scheme,the Secretary of State shall consult the BBC and every person who is a transferee under the scheme.
- (5) It shall be the duty of the BBC and every person who is a transferee under a transfer scheme to provide the Secretary of State with all such information and other assistance

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*Status: This is the original version (as it was originally enacted).*

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as he may reasonably require for the purposes of, or in connection with, the exercise of any power conferred on him by this paragraph.

- (6) In this section “wholly-owned subsidiary” has the meaning given by section 736 of the Companies Act 1985.