



Communications Act 2003

2003 CHAPTER 21

PART 3

TELEVISION AND RADIO SERVICES [F1ETC]

^{F1F1}CHAPTER 2

REGULATORY STRUCTURE FOR INDEPENDENT TELEVISION SERVICES

Reviews relating to licensing of Channels 3 & 5 and teletext

230 Orders suspending rights of renewal

- (1) This section applies where the Secretary of State has received and considered a report submitted to him by OFCOM under section 229.
- (2) If—
 - (a) the report contains a recommendation by OFCOM for the making of an order under this section, or
 - (b) the Secretary of State considers, notwithstanding the absence of such a recommendation, that it would be appropriate to do so,he may by order provide that [F1a licence for the time being in force that is of a description specified in the order is] not to be renewable under section 216 or 222 from the end of the licensing period in which he received the report [F2(but see subsection (7))].
- (3) An order under this section preventing the renewal of [F3a licence] from the end of a licensing period must be made at least eighteen months before the end of that period.
- (4) The Secretary of State is not to make an order under this section preventing the renewal of [F4a licence] from the end of the initial licensing period unless he has fixed a date before the end of that period as the date for digital switchover.

Changes to legislation: Communications Act 2003, Section 230 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) Where the Secretary of State postpones the date for digital switchover after making an order under this section preventing the renewal of [^{F5}a licence] from the end of the initial licensing period, the order shall have effect only if the date to which digital switchover is postponed falls before the end of that period.
- (6) Subsection (5) does not affect the power of the Secretary of State to make another order under this section after postponing the date for digital switchover.
- (7) An order under this section with respect to [^{F6}a Channel 3 licence] must be an order of one of the following descriptions—
- (a) an order applying to every licence to provide a Channel 3 service;
 - (b) an order applying to every licence to provide a national Channel 3 service; or
 - (c) an order applying to every licence to provide a regional Channel 3 service.
- (8) An order under this section does not affect—
- (a) the person to whom a licence may be granted on an application made under section 15 of the 1990 Act or under paragraph 3 of Schedule 10 to this Act; or
 - (b) rights of renewal in respect of [^{F7}a licence] first granted so as to take effect from the beginning of a licensing period beginning after the making of the order, or from a subsequent time.
- (9) No order is to be made containing provision authorised by this section unless a draft of the order has been laid before Parliament and approved by a resolution of each House.
- (10) Subsection (8) of section 224 applies for construing references in this section to the date for digital switchover as it applies for the purposes of that section.
- (11) In this section—
- “initial licensing period” [^{F8}, in relation to a licence,] means the licensing period ending with the initial expiry date [^{F9}for that type of licence] ; and
- “licensing period” has the same meaning as in section 229.

Textual Amendments

- F1** Words in s. 230(2) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(14)**, 47(1)
- F2** Words in s. 230(2) inserted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(15)**, 47(1)
- F3** Word in s. 230(3) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(16)**, 47(1)
- F4** Word in s. 230(4) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(16)**, 47(1)
- F5** Word in s. 230(5) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(16)**, 47(1)
- F6** Words in s. 230(7) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(17)**, 47(1)
- F7** Word in s. 230(8)(b) substituted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(16)**, 47(1)
- F8** Words in s. 230(11) inserted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(18)(a)**, 47(1)
- F9** Words in s. 230(11) inserted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. **26(18)(b)**, 47(1)

Commencement Information

- I1** S. 230 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

Changes to legislation:

Communications Act 2003, Section 230 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)