

*These notes refer to the Digital Economy Act 2010
(c.24) which received Royal Assent on 8 April 2010*

DIGITAL ECONOMY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Topic 6: Independent radio services

Section 33: Variation of licence period following renewal

150. This section adds section 105A to the 1990 Act and allows the Secretary of State to reduce the duration of a licence renewed under section 103B or 104AA. This power only applies where the Secretary of State has not nominated a digital switchover date or has withdrawn a digital switchover date without nominating a further date.
151. The Secretary of State may give notice to OFCOM of a termination date, specifying the services affected. Different termination dates may be given for different services, but the termination date cannot be before 31 December 2015.
152. OFCOM are required to reduce the duration of a renewed licence so that it ends on or before the termination date set by the Secretary of State, but OFCOM cannot give less than two years' notice of termination of the licence, unless the licence-holder consents.
153. OFCOM cannot vary the licence period under this section so that the licence expires after the termination date set by the Secretary of State.
154. The Secretary of State must consider, before 31 December 2013, whether to exercise the powers contained in section 105A.