



Digital Economy Act 2010

2010 CHAPTER 24

Independent radio services

35 Radio multiplex services: frequency and licensed area

After section 54 of the Broadcasting Act 1996 insert—

“54A Variation of radio multiplex licences: frequency or licensed area

- (1) OFCOM may, if the requirements of subsections (3) to (5) are met, vary a national radio multiplex licence by extending the area in which the licensed service is required to be available.
- (2) OFCOM may, if the requirements of subsections (3) to (6) are met, vary a local radio multiplex licence by—
 - (a) varying the frequency on which the licensed service is required to be provided,
 - (b) reducing the area or locality in which the licensed service is required to be available, or
 - (c) extending that area or locality to include an adjoining area or locality.
- (3) OFCOM must have received an application for the variation from the licence holder.
- (4) The application must include a technical plan relating to the service proposed to be provided under the licence indicating, in particular—
 - (a) the area or locality which would be within the coverage area of the service,
 - (b) the timetable in accordance with which that coverage would be achieved, and
 - (c) the technical means by which it would be achieved.
- (5) Before deciding whether to grant the application, OFCOM must publish a notice specifying—
 - (a) the proposed variation of the licence, and

Status: This is the original version (as it was originally enacted).

- (b) a period in which representations may be made to OFCOM about the proposal.
- (6) In the case of a local radio multiplex licence, OFCOM may vary the licence in accordance with the application only if they are satisfied that doing so would not unacceptably narrow the range of programmes available by way of local digital sound programme services to persons living in the area or locality for which, before the proposed variation, the local radio multiplex service is required to be available.”