

SCHEDULE

Amendments to the Broadcasting Act 1990 and the Broadcasting Act 1996

7.—(1) Part III of Schedule 2 to the Broadcasting Act 1990 (restrictions to prevent accumulation of interests in licensed services) is amended as follows.

(2) In paragraph 2 (general limit on the holding of licences to provide television services or interests in bodies corporate holding such licences)—

(a) in sub-paragraph (2)(a) and (b), for “1(2)(a), (d), (e) or (h)” there is substituted “1(2)(a), (d) or (e)”;

(b) after sub-paragraph (2)(a) there is inserted—

“(aa) the audience time attributable in respect of that period to any relevant service falling within paragraph 1(2)(h) which is provided by him by means of a television multiplex service licensed under Part I of the Broadcasting Act 1996; and”

(c) before the word “and” at the end of sub-paragraph (2)(b) there is inserted—

“(bb) one half of the audience time attributable in respect of that period to any relevant service falling within paragraph 1(2)(h) which is provided—

(i) by means of a television multiplex service licensed under Part I of the Broadcasting Act 1996, and

(ii) by a body corporate which he does not control, but in which he is at any relevant time a participant with a qualifying interest.”

(3) Paragraph 7 (limit in relation to provision of digital programme services) is amended as follows—

(a) in sub-paragraph (5) for “by any one holder of a licence to provide digital programme services” there is substituted “by any one person by means of television multiplex services licensed under Part I of the Broadcasting Act 1996”;

(b) in sub-paragraph (7) for “by the holders of licences to provide such services” there is substituted “by means of television multiplex services licensed under Part I of the Broadcasting Act 1996”; and

(c) for sub-paragraph (8) there is substituted—

“(8) For the purposes of this paragraph a person who holds a licence to provide digital programme services and is a participant with more than a 20 per cent. interest in—

(a) a body corporate which also holds such a licence, or

(b) a body corporate which—

(i) for the purposes of Council Directive [89/552/EEC](#) is under the jurisdiction of an EEA State other than the United Kingdom, and

(ii) provides digital programme services by means of a television multiplex service licensed under Part I of the Broadcasting Act 1996,

but who does not control that body, shall be taken to provide any digital programme services provided by that body.”