

2004 No. 1116

ELECTRONIC COMMUNICATIONS
BROADCASTING

**The Communications (Bailiwick of Guernsey) (No. 3) Order
2004**

Made - - - - - *14th April 2004*

Coming into force - - - - - *23rd April 2004*

At the Court at Windsor Castle, the 14th day of April 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty in exercise of the powers conferred upon Her by sections 402(3)(b) and (c) and 411(6) and (8) of the Communications Act 2003(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Communications (Bailiwick of Guernsey) (No. 3) Order 2004 and shall come into force on 23rd April 2004.
2. The Communications (Bailiwick of Guernsey) Order 2003(b) is amended as follows—
 - (a) in article 6, for the words “Chapter 4 (Regulatory provisions)” to “to 347;” substitute—
“Chapter 4 (Regulatory provisions), sections 263, 264, 271, 275 to 298, 299 except subsections (1), (3) and (4), 301 to 315, 319 to 332, 334 to 336, 338 and 344 to 347;”; and
 - (b) in Schedule 2 (Modifications with which provisions of the Communications Act 2003 extend to the Bailiwick of Guernsey), omit paragraph 65.

A.K.Galloway
Clerk to the Privy Council

(a) 2003 c.21, extended in part to the Bailiwick of Guernsey by S.I. 2003/3195 and 2004/307.
(b) S.I. 2003/3195, which was amended by S.I. 2004/307 and 2004/715.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Communications (Bailiwick of Guernsey) Order 2003 (S.I. 2003/3195) (the 2003 Order), which extended, in part, the Communications Act 2003 (the 2003 Act) to the Bailiwick of Guernsey (Guernsey).

In particular the Order amends article 6 of the 2003 Order, in so far as it extends sections 299(1), (3) and (4) and 300 of the 2003 Act to Guernsey, and consequent modifications in Schedule 2 to the 2003 Order. The provisions, which amend the Broadcasting Act 1996 (1996 c.55), concern the regulation of the broadcasting of sporting and other events of national interest.

It had been intended that article 6, in so far as it relates to these provisions, would come into effect on 30th June 2004 under the Office of Communications Act 2002 (Commencement No. 3) and Communications Act 2003 (Commencement No. 2) Order 2003 (S.I. 2003/3142/c.125) (the Commencement Order). This was the same date that the provisions were to come into force in the United Kingdom.

However, the Department for Culture, Media and Sport, which has responsibility for the implementation of the 2003 Act, now intends to remove the commencement provision in relation to sections 299(1), (3) and (4) and 300 without for the time being specifying an alternative commencement date.

So as to ensure the co-ordinated implementation of the provisions of the 2003 Act across the United Kingdom and the Crown Dependencies, article 6 has been amended so that sections 299(1), (3) and (4) and 300, and consequent modifications, will not be extended to Guernsey on 30th June 2004.

Section 299(2) of the 2003 act, extended to Guernsey by the 2003 Order, came into force on 29th December 2003.

The 2003 Order has previously been amended by the Communications (Bailiwick of Guernsey) Order 2004 (S.I. 2004/307) [which also extended other provisions of the 2003 Act] and the Communications (Bailiwick of Guernsey) (No. 2) Order 2004 (S.I. 2004/715).

£3.00

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E0589 4/2004 140589T 19585

ISBN 0-11-049181-5



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