

2014 No. 1184

BROADCASTING

The Television Broadcasting Regulations 2014

Made - - - - *1st May 2014*

Laid before Parliament *7th May 2014*

Coming into force - - *31st May 2014*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a).

The Secretary of State is a Minister designated for the purposes of the 1972 Act in relation to measures relating to television broadcasting(b).

1. These Regulations may be cited as the Television Broadcasting Regulations 2014 and come into force on 31st May 2014.

2. In section 101B of the Broadcasting Act 1996(c) (restriction on televising event designated by other EEA state), omit subsection (4).

1st May 2014

Ed Vaizey
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations repeal section 101B(4) of the Broadcasting Act 1996 (“the Act”) to ensure correct implementation of Article 14(3) of Directive 2010/13/EU of the European Parliament and of the Council (the Audiovisual Media Services Directive) (OJ No L 95, 15.4.2010, p1). (The Directive extends to the European Economic Area (EEA) pursuant to the Decision of the EEA Joint Committee No 109/2012 of 15.06.2012 (OJ No L 270, 4.10.2012, p31).)

(a) 1972 c. 68. Section 2 was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). By virtue of the amendment of section 1(2) of the European Communities Act by section 1 of the European Economic Area Act 1993 (c. 51) regulations may be made under section 2(2) of the European Communities Act to implement obligations of the United Kingdom created by or arising under the EEA agreement.

(b) S.I. 1997/1174.

(c) 1996 c. 55. Sections 101A and 101B were inserted by S.I. 2000/54, and amended by S.I. 2013/2217; there are other instruments amending that Act, but none is relevant.

Sections 101A and 101B were inserted into the Act by the Television Broadcasting Regulations 2000 (S.I. 2000/54) to implement Council Directive 89/552/EEC, which was repealed and codified by the Audiovisual Media Services Directive.

Section 101A provides for the designation of important sporting or other events in relation to an EEA state other than the United Kingdom. Section 101B(1) restricts the televising of a designated event. Under section 101B(4), the requirement to obtain Ofcom's consent did not apply where the rights were acquired before the day on which the event became a designated event. The repeal of section 101B(4) has effect so that a television programme provider must now obtain Ofcom's consent under section 101B(1) to exercise such exclusive rights whether the rights were acquired before or after the event is designated.

An impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sectors is foreseen. This instrument is published on www.legislation.gov.uk.

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£4.25

UK201405073 05/2014 19585

<http://www.legislation.gov.uk/id/uksi/2014/1184>

ISBN 978-0-11-111464-3



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