



## Amendment of the Broadcasting Act 1996

2. The Broadcasting Act 1996(a) is amended as follows.
3. In section 58 (duration and renewal of national or local radio multiplex licences)—
- (a) in subsection (2)(b), at the beginning insert “Subject to subsection (2A),”;
  - (b) after subsection (2) insert—

“(2A) A national radio multiplex licence granted (or renewed under this section) before the commencement of this subsection may be renewed (or further renewed) in accordance with this section for a period ending with 31st December 2035.”;
  - (c) after subsection (3) insert—

“(3A) An application for the renewal of a national radio multiplex licence under subsection (2A) may be made by the licence holder not later than the relevant date.”;
  - (d) in paragraph (a) of subsection (12A)(c), after “date determined” insert “, subject to subsection (12B)”;
  - (e) after subsection (12A) insert—

“(12B) Subsection (12A)(a) does not prevent a determination for the purposes of subsection (12) being made less than one year before the date determined where—

    - (a) the renewal of the licence in question would be a renewal under subsection (2A), and
    - (b) the determination is made as soon as practicable after the commencement of this subsection.”.

*Name*  
Parliamentary Under Secretary of State  
Department for Digital, Culture, Media and Sport

Date

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made under section 1 of the Legislative and Regulatory Reform Act 2006 (c. 51).

National radio multiplex licences granted under Part 2 of the Broadcasting Act 1996 (c. 55) are renewable on one occasion in accordance with section 58 of that Act. Article 3 of this Order amends section 58: to allow for a renewal of a national radio multiplex licence for a period ending on 31st December 2035; to allow an application for a renewal to be made up to the ‘relevant date’ i.e. the date by which Ofcom would need to publish a notice under section 46 of that Act stating that they propose to grant a fresh licence to provide the service formerly provided under the licence (if it expired and was not renewed); and to allow Ofcom to determine the ‘relevant date’ less than one year before that date.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or public sector is foreseen.

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(a) 1996 c. 55.

(b) Subsection (2) was amended by section 261 of the Communications Act 2003 (c. 21) and S.I. 2015/904.

(c) Subsection (12A) was inserted by section 360(3) of, and paragraph 117 of Schedule 15 to, the Communications Act 2003.