



Jersey

# **BROADCASTING (JERSEY) ORDER 1999**

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Jersey

# BROADCASTING (JERSEY) ORDER 1999

**Jersey Order in Council 15/1999**

**THE BROADCASTING (JERSEY) ORDER 1999**

*(Registered on the 11th day of June 1999)*

**At the Court at Buckingham Palace**

11th day of May 1999

PRESENT

**The Queen's Most Excellent Majesty in Council**

**HER MAJESTY**, in pursuance of section 150(4) of the Broadcasting Act 1996, and section 204(6) of the Broadcasting Act 1990, as it is applied by section 150(3) of the Broadcasting Act 1996, 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 Broadcasting (Jersey) Order 1999 and shall come into force on 12th May 1999.

**2.** Section 94 of the Broadcasting Act 1996 shall extend to the Bailiwick of Jersey.

**3.** In the Schedule to the Broadcasting Act 1990 (Jersey) (No. 2) Order 1991<sup>1</sup> after paragraph 29, there shall be inserted –

**“29A.** Omit section 104A.

**29B.**In section 104B –

<sup>1</sup> Volume 1990–1991, page 563.

*Jersey Order in Council 15/1999*

*The Broadcasting (Jersey) Order 199*

- (a) In subsection (1)(b), for the words from “category B” to the end substitute “any of the categories of local service for the time being specified in this paragraph as it has effect in the United Kingdom”;
- (b) in subsection (2)(b), after “United Kingdom” insert “or the Bailiwick of Jersey”;
- (c) omit subsections (6) and (7).”.

**A.K. GALLOWAY**

*Clerk of the Privy Council.*

**BROADCASTING ACT 1990****CHAPTER 42***ARRANGEMENT OF SECTIONS**PARTS I–II*

\* \* \* \* \*

*PART III*

## CHAPTER I

\* \* \* \* \*

## CHAPTER II

## SOUND BROADCASTING SERVICES

**98.–104.** \* \* \* \* \***104A..** Renewal of local licences**104B.** Special application procedure for local licences.**105.–** \* \* \* \* \***111.**

## CHAPTERS III–V

\* \* \* \* \*

*PARTS IV–X*

\* \* \* \* \*

*SCHEDULES*

\* \* \* \* \*

**ELIZABETH II****1990 CHAPTER 42**

**AN ACT** to make new provision with respect to the provision and regulation of independent television and sound programme services and of other services provided on television or radio frequencies; to make provision with respect to the provision and regulation of local delivery services; to amend in other respects the law relating to broadcasting and the provision of television and sound programme services and to make provision with respect to the supply and use of information about programmes; to make provision with respect to the transfer of the property, rights and liabilities of the Independent Broadcasting Authority and the Cable Authority and the dissolution of those bodies; to make new provision relating to the Broadcasting Complaints Commission; to provide for the establishment and functions of a Broadcasting Standards Council; to amend the Wireless Telegraphy Acts 1949 to 1967 in the Marine, &c., Broadcasting (Offences) Act 1967; to revoke a class licence granted under the Telecommunications Act 1984 to run broadcast relay systems; and for connected purposes.

[1st November 1990]

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows –

*PARTS I–II*

\* \* \* \* \*

*PART III*

## CHAPTER I

\* \* \* \* \*

## CHAPTER II

## SOUND BROADCASTING SERVICES

**98.–104.** \* \* \* \* \***104A.** \* \* \* \* \*<sup>2</sup>**[Special application procedure for local licences]****104B.-(1)** Where –

<sup>2</sup> Section 104A inserted by the Broadcasting Act 1996 and omitted by The Broadcasting (Jersey) Order 1999 (page 225 of this Volume).

- (a) a local licence is due to expire (otherwise than by virtue of section 110);
- (b) the local service provided under the licence falls within [any of the categories of local service for the time being specified in this paragraph as it has effect in the United Kingdom];
- (c) the Authority propose to grant a further licence to provide the service in question,

the Authority may if they think fit publish a notice under subsection (2) instead of a notice under section 104(1).

(2) A notice under this subsection is a notice –

- (a) stating that the Authority propose to grant a further licence to provide a specified local service;
- (b) specifying the area or locality in the United Kingdom [or the Bailiwick of Jersey] for which the service is to be provided;
- (c) inviting declarations of intent to apply for a licence to provide the service;
- (d) specifying the closing date for such declarations; and
- (e) specifying –
  - (i) the application fee payable on any declaration made in pursuance of the notice, and
  - (ii) a deposit of such amount as the Authority may think fit.

(3) A declaration of intent made in pursuance of a notice under sub-section (2) must be in writing and accompanied by the application fee and deposit specified under subsection (2)(e)(i) and (ii).

(4) Where the Authority receive a declaration of intent in accordance with the provisions of this section from a person other than the licence holder in relation to the service in question, they shall –

- (a) publish a notice under section 104(1);
- (b) specify –
  - (i) in relation to persons who have made a declaration of intent in accordance with the provisions of this section, no further application fee, and
  - (ii) in relation to all other applicants, an application fee of the same amount as the fee referred to in subsection (2)(e)(i); and
- (c) repay the deposit referred to in subsection (2)(e)(ii) to every person –
  - (i) who has made a declaration of intent in accordance with the provisions of this section, and

- (ii) who duly submits an application in pursuance of the notice referred to in paragraph (a).

(5) Where the Authority receive a declaration of intent in accordance with the provisions of this section from the licence holder in relation to the service in question, and no such declaration from any other person, they shall –

- (a) invite the licence holder to apply for the licence in such manner as they may determine (but without requiring any further application fee); and
- (b) on receiving an application duly made by him, repay to him the deposit referred to in subsection (2)(e)(ii).

(6) \* \* \* \* \*

(7) \* \* \* \* \*]<sup>3</sup>

**105.-111.** \* \* \* \* \*

### CHAPTERS III–V

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### *PARTS IV–X*

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### *SCHEDULES*

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<sup>3</sup> Section inserted by the Broadcasting Act 1996 and adapted and modified by The Broadcasting (Jersey) Order 1999 .