**EXPLANATORY MEMORANDUM TO**
**THE DIGITAL SWITCHOVER (DISCLOSURE OF INFORMATION) ACT 2007 (PRESCRIPTION OF INFORMATION) (AMENDMENT) ORDER 2008**
**2008 No. 2557**

**1.1** This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

**2. Description**

2.1 The Order makes minor amendments to the Digital Switchover (Disclosure of Information) Act 2007 (Prescription of Information) Order 2007[1] to ensure that the information that may be supplied by the Secretary of State, the Department for Social Development in Northern Ireland and certain local authorities in accordance with the provisions of the Digital Switchover (Disclosure of Information) Act 2007 ("the Act") is in accordance with the revised Digital Switchover Help Scheme Agreement ("DSHS Agreement"). The first DSHS Agreement was established under the BBC Charter and Agreement and published in May 2007. The revised DSHS Agreement dated 28th March 2008 was published in April 2008[2]. The Scheme will help specified categories of individuals to convert to digital television during digital switchover (the process by which the broadcasting of television services in the UK in analogue form will be replaced by their broadcasting in digital form).

2.2 The information specified in the 2007 Order is information necessary to identify and make appropriate contact with the individuals eligible for help. In particular, the amending Order ensures that references to the new Employment Support Allowance in the revised DSHS Agreement take effect.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

**4. Legal Background**

4.1 The Order makes the minor amendment described in paragraph 2.1 above.

**5. Territorial Extent and Application**

5.1 This instrument applies to all of the United Kingdom.

**6. European Convention on Human Rights**

6.1 As the instrument is subject to negative instrument resolution procedure and does not amend primary legislation, no statement is required.

**7. Policy Background**

7.1 "Digital switchover" is the process by which analogue television broadcasting signals will be phased out in favour of digital signals. The process will allow many

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[1] 2007, no. 1768

[2] The Digital Switchover Help Scheme: A Scheme Agreement between Her Majesty's Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation dated 28th March 2008 – April 2008, Cm 7356. This is available from: http://www.digitaltelevision.gov.uk/pdf_documents/The_Digital_Switchover_Help_Scheme.pdf

more television channels to be carried using less radio spectrum than is currently used, expanding choice for consumers. Digital switchover commenced in late 2007 in Whitehaven. It will be followed by the rest of the Borders region towards the end of 2008 and proceed ITV region by ITV region until 2012, by which time all analogue transmissions will have ceased.

7.2 A key part of the Government's switchover policy is to ensure that advice and assistance is available to those who need it to convert to digital television. In September 2005, the Government confirmed that a help scheme would be established by the BBC and funded by the television licence fee. The details of the current help scheme are contained in the revised DSHS Scheme Agreement. Broadly, help is available to persons aged 75 or over; persons with a severe disability (defined as being in receipt of certain disability benefits); or persons who are registered as blind or partially sighted.

**8. Impact**

8.1 This Order is covered by the Regulatory Impact Assessment prepared for the Digital Switchover (Disclosure of Information) Bill introduced in the House of Commons on 16 November 2006 and updated on 30 January 2007[3]. The Order has no impact on business, charities and voluntary bodies.

**9. Contact**

9.1 For further information about this Order please contact:

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**DEPARTMENT FOR CULTURE, MEDIA AND SPORT**

[3] A copy of the Regulatory Impact Assessment prepared for the Digital Switchover (Disclosure of Information) Bill is at http://www.culture.gov.uk/images/publications/RIA_digitalswitchoverbill_jan07.pdf or The Stationery Office.