STATUTORY INSTRUMENTS

2024 No. 1033 (C. 70)

BROADCASTING

The Media Act 2024 (Commencement No. 2 and Transitional and Saving Provisions) Regulations 2024

Made - - - - 15th October 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by section 55(3) to (5) of the Media Act 2024(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Media Act 2024 (Commencement No. 2 and Transitional and Saving Provisions) Regulations 2024.

(2) In these Regulations—

(a) "the 1990 Act" means the Broadcasting Act 1990(**b**);

(b) "the 2003 Act" means the Communications Act 2003(**c**);

(c) "the 2024 Act" means the Media Act 2024.

Provision coming into force for specific purposes only on 17th October 2024

2. Section 19 of the 2024 Act (amount of financial penalties: qualifying revenue) comes into force on 17th October 2024 only for the purposes of enabling preparatory work by OFCOM for the coming into force for all purposes of this section including, but not limited to—

(b) the variation by OFCOM of licences to provide a television broadcasting service under Part 1 of the 1990 Act and Part 3 of the 2003 Act, and

(c) the issuing or revision of a Statement of Principles for the purposes of Schedule 7 to the 1990 Act(**d**).

Provision coming into force on 17th October 2024

3. The following provisions of the 2024 Act come into force on 17th October 2024—

(a) section 41 (licensing of analogue radio services);

(b) section 42 (licensing and local services);

(c) section 43 (character of local services);

(**a**) 2024 c. 15.
(**b**) 1990 c. 42.
(**c**) 2003 c. 21.
(**d**) Schedule 7 was amended by paragraph 72 of Schedule 15 to the Communications Act 2003.

(d) section 44 (local news and information), so far as not already in force;

(e) section 45 (financial assistance for radio);

(f) section 46 (licensing of non-UK digital sound programme services);

(g) section 47 (radio multiplex licences).

Transitional provision

4.—(1) A condition relating to local news included in a local licence under section 106(1) of the 1990 Act (requirements as to character and coverage of national and local services)(**a**) is to be treated as having been included in such a licence under section 314(1)(a) of the 2003 Act (local news and information in local sound broadcasting services), as that section is amended by section 44 of the 2024 Act(**b**).

(2) The requirement in section 314(2)(b) of the 2003 Act, as that section is amended by section 44 of the 2024 Act (to have regard to guidance when requiring a local licence to include a condition), does not apply in relation to any licence to which paragraph (1) applies.

(3) In this regulation—

(a) "local licence" has the meaning given in section 126 of the 1990 Act(**c**);

(b) "local news" means news which is of particular interest—

(i) to persons living or working within the area or locality for which the service is provided,

(ii) to persons living or working within a part of that area or locality, or

(iii) to particular communities living or working within that area or locality or part of it.

(4) References in this regulation to persons living or working within an area or locality include references to persons undergoing education or training in that area or locality.

Saving provision

5.—(1) Sections 104, 105, 106 and 106ZA of the 1990 Act (sound broadcasting services) continue to have effect on or after 17th October 2024 for the purpose of their application to community radio services by virtue of the 2004 Order as if sections 42 and 43 of the 2024 Act had not been brought into force by these Regulations.

(2) Sections 50, 51, 54 and 58 of the Broadcasting Act 1996 (radio multiplex services)(**d**) continue to have effect on or after 17th October 2024 for the purpose of their application to small-scale radio multiplex services by virtue of the 2019 Order as if section 47 of the 2024 Act had not been brought into force by these Regulations.

(3) In this regulation—

(a) "the 2004 Order" means the Community Radio Order 2004(**e**);

(b) "the 2019 Order" means the Small-scale Radio Multiplex and Community Digital Radio Order 2019(**f**);

(**a**) Section 106(1) was amended by paragraph 49 of Schedule 15 and by Schedule 19 to the Communications Act 2003 and by section 43 of the Media Act 2024 (c. 15).
(**b**) There are amendments to section 314 but none is relevant.
(**c**) The definition of "local licence" must be read with the definition of "local service" in section 126 of the Broadcasting Act 1990. The definition of "local service" was substituted by paragraph 59(b) of Schedule 15 to the Communications Act 2003. There are other amendments to section 126 but none is relevant.
(**d**) 1996 c. 55.
(**e**) S.I. 2004/1944.
(**f**) S.I. 2019/1387.

(c) "community radio service" has the meaning given in article 2(1) of the 2004 Order;

(d) "small-scale radio multiplex service" has the meaning given in article 2(1) of the 2019 Order.

Stephanie Peacock
Parliamentary Under Secretary of State
15th October 2024 Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 17th October 2024 provisions of Parts 1 and 5 of the Media Act 2024 (c. 15) ("the Act"). These are the second set of commencement regulations under the Act.

Regulation 2 brings into force section 19 in Part 1 of the Act (amount of financial penalties: qualifying revenue) for the purposes of allowing OFCOM to carry out preparatory work.

Regulation 3 brings into force the whole of Part 5 of the Act which makes provision to update the regulatory framework for commercial radio.

Regulation 4 makes transitional provision in connection with the commencement of sections 43 (character of local services) and 44 (local news and information) of the Act in order to provide that conditions included in licences of local analogue radio services relating to local news are treated as if those conditions were included in such licences under section 314 of the Communications Act 2003 (c. 21) (local news and information in local sound broadcasting services) as that section is amended by section 44 of the Act.

Regulation 5(1) makes saving provision in connection with community radio. The Community Radio Order 2004 (S.I. 2004/1944) provides that the provisions of the Broadcasting Act 1990 (c. 42) ("1990 Act") have effect in relation to community radio services with the modifications set out in the Schedule to that Order. This saving provision provides that specified parts of the 1990 Act continue to have effect in relation to community radio services as if the amendments to the 1990 Act made by sections 42 and 43 of the Act had not been commenced by these Regulations.

Regulation 5(2) makes saving provision in connection with small-scale radio. The Small-scale Radio Multiplex and Community Digital Radio Order 2019 (S.I. 2019/1387) provides that the provisions of the Broadcasting Act 1996 (c. 55) ("1996 Act") have effect in relation to small-scale radio multiplex services with the modifications set out in the Schedule to that Order. This saving provision provides that specified parts of the 1996 Act continue to have effect in relation to small-scale radio multiplex services as if the amendments to the 1996 Act made by section 47 of the Act had not been commenced by these Regulations.

An impact assessment has not been published for these Regulations as they have no impact on cost to business, the public or voluntary sectors independent of the provisions these Regulations bring into force. A full impact assessment has been published in relation to the Act and copies can be obtained from the UK Parliament website at https://bills.parliament.uk/bills/3505/publications or from the Department for Culture, Media and Sport at 100 Parliament Street, London, SW1A 2BQ, United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Media Act 2024 have been brought into force by commencement Regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 1 (partially)	23rd August 2024	2024/858 (C. 55)
Sections 3 to 5 (partially)	23rd August 2024	2024/858 (C. 55)
Sections 8 and 9 (partially)	23rd August 2024	2024/858 (C. 55)
Sections 11 to 15 (partially)	23rd August 2024	2024/858 (C. 55)
Section 16	23rd August 2024	2024/858 (C. 55)
Section 17 (partially)	23rd August 2024	2024/858 (C. 55)
Section 18	23rd August 2024	2024/858 (C. 55)
Sections 20 to 22 (partially)	23rd August 2024	2024/858 (C. 55)
Sections 23 and 24	23rd August 2024	2024/858 (C. 55)
Section 25 (partially)	23rd August 2024	2024/858 (C. 55)
Sections 26 and 27	23rd August 2024	2024/858 (C. 55)
Section 28 (partially)	23rd August 2024	2024/858 (C. 55)
Section 29	23rd August 2024	2024/858 (C. 55)
Section 30 (partially)	23rd August 2024	2024/858 (C. 55)
Section 31	23rd August 2024	2024/858 (C. 55)
Sections 33 to 40	23rd August 2024	2024/858 (C. 55)
Section 44 (partially)	23rd August 2024	2024/858 (C. 55)
Section 48 (partially)	23rd August 2024	2024/858 (C. 55)
Section 49	23rd August 2024	2024/858 (C. 55)
Section 51	23rd August 2024	2024/858 (C. 55)
Schedule 1 (partially)	23rd August 2024	2024/858 (C. 55)
Schedule 2 (partially)	23rd August 2024(**a**)	2024/858 (C. 55)
Schedule 3	23rd August 2024	2024/858 (C. 55)
Schedule 4 (partially)	23rd August 2024(**b**)	2024/858 (C. 55)
Schedules 5 to 12	23rd August 2024	2024/858 (C. 55)

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(**a**) Regulation 4 of S.I. 2024/858 (C. 55) provides that certain provisions of Schedule 2 come into force on the date that certain provisions of the Communication Act 2003 come into force.

(**b**) Regulation 4 of S.I. 2024/858 (C. 55) provides that certain provisions of Schedule 4 come into force on the date that certain provisions of the Communication Act 2003 come into force.

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