

Sound Broadcasting Act 1972

1972 CHAPTER 31

An Act to extend the functions of the Independent Television Authority, renamed the Independent Broadcasting Authority, so as to include the provision of local sound broadcasting services, and to amend and supplement the Television Act 1964 for the purpose of so extending the functions of the Authority; and for purposes connected with those matters. [12th June 1972]

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:—

Independent Television Authority to be renamed Independent Broadcasting Authority.

1.—(1) The authority constituted in accordance with section 1 of the Television Act 1964 (in this Act referred to as "the principal Act") under the name of the Independent Television Authority shall as from the commencement of this Act be known as the Independent Broadcasting Authority.

1964 c. 21.

(2) Without prejudice to any express amendment made by this Act, where in any enactment passed before this Act, or in any statutory instrument having effect by virtue of such an enactment, reference is made to that authority by the name of the Independent Television Authority, the name "Independent Broadcasting Authority" shall be substituted for that name.

Provision by Authority of local sound broadcasting services.

2.—(1) The broadcasting services to be provided by the Independent Broadcasting Authority (in the following provisions of this Act referred to as "the Authority") under section 1(3) of the principal Act (which confers on the Authority, until

31st July 1976, the function of providing television broadcasting services additional to those of the British Broadcasting Corporation) shall include local sound broadcasting services.

(2) Subject to the modifications and exceptions specified in this Act, the provisions of the principal Act relating to programme contractors, and the other provisions of that Act, shall have effect in relation to the Authority's local sound broadcasting services as they have effect in relation to the Authority's television broadcasting services.

(3) In this Act " local sound broadcast " means a programme which is broadcast (otherwise than as part of a television broadcast) from a station so constructed and operated as to have a range of transmission limited to that which is sufficient, in normal circumstances, to ensure adequate reception throughout a particular locality, or from two or more stations so constructed and operated as to have collectively such a range of transmission, and " local sound broadcasting services " means services consisting of programmes so broadcast; and, where a programme is so broadcast, the fact that—

(*a*) as so broadcast it is received outside that particular locality, or

(*b*) it is also broadcast (whether simultaneously or not) from one or more other stations for reception in other localities,

shall not prevent it from being regarded as a local sound broadcast within the meaning of this Act.

(4) Any reference in this Act to a contract for the provision by a programme contractor of local sound broadcasts shall be construed as including a reference to a contract which is—

(*a*) partly for the provision by that contractor of local sound broadcasts for reception in a particular locality, and

(*b*) partly for the provision of news, information, music or other material to be supplied to other programme contractors for the purposes of local sound broadcasts to be provided by them;

but, in relation to any such contract, the locality, where the reference is to the provision of local sound broadcasts for reception in a particular locality, shall be taken to be the locality referred to in paragraph (*a*) of this subsection.

Local advisory committees for local sound broadcasts.

3. The following section shall be inserted in the principal Act after section 9 (advisory committees):—

" 9A.—(1) In addition to the committees which are to be, or may be, appointed under section 9 of this Act, the Authority shall appoint local advisory committees in

respect of all the localities for which local sound broadcasting services are provided by the Authority; and each such committee shall be appointed for an area consisting either of one such locality or of two or more such localities.

(2) Subject to the next following subsection, each such committee (in this section referred to as a 'local committee')—

(*a*) shall be so constituted, and

(*b*) shall consist of persons selected by reference to such qualifications,

as in the opinion of the Authority would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in the area for which the committee is appointed (in this section referred to, in relation to a local committee, as its area).

(3) For each local committee the Authority shall invite the appropriate local authorities (either jointly or separately) to nominate persons with a view to their being appointed as members of the committee; and (unless the number of eligible persons so nominated for a local committee is insufficient for the purpose) the Authority shall appoint at least one-third of the members of each local committee from among persons so nominated.

(4) Before appointing a person to be a member of a local committee the Authority shall satisfy themselves that he—

(*a*) will have no financial or other interest in any advertising agency, and

(*b*) will have no such other financial or other interest in advertising as is in the opinion of the Authority likely to prejudice his independence as a member of that committee,

and the Authority shall also satisfy themselves from time to time that each member of a local committee has no such interest as is described in paragraph (*a*) or paragraph (*b*) of this subsection; and in subsection (3) of this section 'eligible persons' means persons in respect of whom the Authority are satisfied that they have no such interest.

(5) The function of a local committee shall be to give to the Authority, with respect to the conduct of their local sound broadcasting services for the area of the committee, such advice as in the opinion of the committee would be appropriate for reflecting, so far as is reasonably practicable, the range of tastes and interests of persons residing in that area.

(6) In this section 'appropriate local authority', in relation to a local committee, means a local authority whose area consists of or includes the whole or part of the area of that committee, and 'local authority'—

(*a*) in relation to England and Wales, means any of the following, that is to say, the Greater London Council, the council of a county, county borough or county district, the council of a London borough, the Common Council of the City of London and the Council of the Isles of Scilly;

(*b*) in relation to Scotland, means the council of a county, county of a city, large burgh or small burgh; and

(*c*) in relation to Northern Ireland, means any of the following, that is to say, the council of a county, county or other borough, or urban or rural district, a new town or development commission exercising the functions of any such council and a district council within the meaning of the Local Government Act (Northern Ireland) 1972."

1972 c. 9 (N.I.).

Television and sound broadcasting to be separately financed by Authority.

4. The following section shall be inserted in the principal Act immediately before section 21:—

"20A.—(1) The provision by the Authority of television broadcasting services, and the provision by them of local sound broadcasting services, shall for financial purposes constitute separate branches of their undertaking; and references in this Act to a branch of the Authority's undertaking shall be construed accordingly.

(2) For each branch of their undertaking it shall be the duty of the Authority so to conduct their affairs as to secure that their revenues from that branch become at the earliest possible date, and thereafter continue, at least sufficient—

(*a*) to meet all sums properly chargeable to revenue account in respect of that branch of their undertaking (including sums which, for the purposes of that branch, are required for the repayment of loans and interest thereon, for provision for depreciation and for the establishment and maintenance of the reserve fund for that branch); and

(*b*) to make provision towards, and as soon as practicable for, necessary capital expenditure for the purposes of that branch of their undertaking.

(3) In the case of that branch of their undertaking which consists of the provision of local sound broadcasting services, subsection (2) of this section shall have effect without

prejudice to any duty of the Authority under section 5 of the Sound Broadcasting Act 1972.

(4) For each branch of their undertaking the Authority shall establish and maintain a reserve fund; and, subject to the following provisions of this section, the management of that fund, the sums to be carried from time to time to the credit of the fund, and the application of the fund, shall be as the Authority may determine.

(5) No part of either of those funds shall be applied otherwise than for the purposes of the branch of the Authority's undertaking for which the fund was established.

(6) The Minister may, with the approval of the Treasury, give to the Authority such directions as he may think fit as to any matter relating to the establishment or management of either of those funds, the carrying of sums to the credit thereof, or the application thereof, and the Authority shall comply with the directions."

Rental payments by sound programme contractors.

5.—(1) Where, before the beginning of a financial year, it appears to the Minister, after consultation with the Authority, to be appropriate to do so, having regard—

(*a*) to the amount which (after making due provision towards or for capital expenditure required for the proper discharge, in relation to local sound broadcasting services, of the duties of the Authority under section 1(3) and (4) of the principal Act) is likely to be the amount of the relevant expenditure for that year, and

(*b*) to the need for securing that excessive profits do not accrue to programme contractors under contracts for the provision of local sound broadcasts,

the Minister, with the consent of the Treasury, may before the beginning of that year make an order under this subsection in respect of that financial year.

(2) Any such order made in respect of a financial year shall specify an amount (in this subsection referred to as " the specified amount ") by which the relevant revenues for that year ought to exceed the relevant expenditure for that year, and shall require the Authority—

(*a*) to determine what aggregate amount of relevant revenues for that year they regard as necessary to ensure that those revenues exceed the relevant expenditure by the specified amount;

(*b*) to determine, in the case of each programme contractor with whom the Authority enter into a contract for the provision of local sound broadcasts, what amount in the

opinion of the Authority represents his appropriate contribution for that year towards meeting that aggregate amount;

(*c*) so to exercise their powers under their contract with each such programme contractor as to ensure that the payments made for that year by that contractor are not less than the amount so determined as representing his appropriate contribution, or (if there are circumstances which in the opinion of the Authority make it impracticable for those payments to be equal to the amount so determined) are as near to that amount as in the opinion of the Authority those circumstances permit; and

(*d*) to pay into the Consolidated Fund for that year a sum equal to the specified amount or to the amount by which the relevant revenues for that year exceed the relevant expenditure, whichever is the lesser amount.

(3) Any order made under subsection (1) of this section in respect of a financial year may, by a further order made by the Minister after consultation with the Authority and with the consent of the Treasury,—

(*a*) be revoked, or

(*b*) be varied by substituting a lesser amount for the amount specified in that order,

and any such further order may be made either before or after the beginning of the financial year to which it relates.

(4) In making their contracts with programme contractors for the provision of local sound broadcasts, it shall be the duty of the Authority to require those contracts to include such provisions, with respect to the payments to be made by the contractors, as in the opinion of the Authority will ensure that the Authority will be in a position to comply with any order made under this section.

(5) Every such contract as is mentioned in subsection (4) of this section shall impose on the contractor such requirements, with respect to the furnishing of information to the Authority, as appear to the Authority, after consultation with the Minister, to be requisite for enabling the Authority to furnish to the Minister such information as he may require for the purpose of determining at any time—

(*a*) whether an order should be made under subsection (1) or subsection (3) of this section, and

(*b*) in the case of an order to be made under subsection (1) or subsection (3)(*b*) of this section, what amount should be specified in the order,

and for enabling the Authority to comply with any order made under this section; and the Authority shall furnish to the Minister such information (whether obtained from contractors or otherwise) as is in their possession and is required by the Minister for any such purpose as is mentioned in this subsection.

(6) In respect of local sound broadcasts, programme contractors shall not be required to make such additional payments as are mentioned in section 13(1)(*b*) of the principal Act (which relates to additional payments determined by reference to advertising receipts); and section 14 of that Act (which contains provisions relating to those additional payments) shall not have effect in relation to contracts between the Authority and programme contractors in so far as they relate to local sound broadcasts.

(7) Any power to make an order under this section shall be exercisable by statutory instrument; and no such order shall be made unless a draft of the order has been laid before Parliament and approved by a resolution of each House of Parliament.

(8) In this section "the relevant expenditure", in relation to any financial year, means the aggregate of the sums which, for the purposes of the branch of the Authority's undertaking which consists of the provision of local sound broadcasting services, are required in respect of that year—

(*a*) to meet all such sums as are mentioned in subsection (2)(*a*) of section 20A of the principal Act, and

(*b*) to make such provision towards or for capital expenditure as the Authority propose to make as mentioned in subsection (2)(*b*) of that section,

and "relevant revenues", in relation to any financial year, means revenues of the Authority for that year which are attributable to that branch of their undertaking.

Preservation of independence of broadcasting contractors.

6.—(1) In section 10 of the principal Act (duties of Authority in relation to contracts for programmes) the following subsections shall be substituted for subsection (2):—

"(1A) The Authority shall not enter into any contract with a programme contractor whereby (whether by virtue of that contract alone or by virtue of that contract together with one or more other contracts) the contractor is to provide television programmes for an area and is to provide local sound broadcasts for reception in a locality which, in the opinion of the Authority, is comprised in that area.

(2) It shall be the duty of the Authority to do all that they can to secure—

(*a*) that persons who are disqualified persons as defined in subsection (3) or subsection (3A) of this section do not become or continue as programme contractors, either alone or in partnership with other persons, and

(*b*) that there is adequate competition to supply programmes between a number of programme contractors independent of each other both as to finance and as to control."

(2) After subsection (2) of that section there shall be inserted the following subsection:—

" (2A) In the performance of their duty under subsection (2)(*b*) of this section the Authority shall do all that they can to secure—

(*a*) that no programme contractor with whom the Authority enter into a contract for the provision of television programmes for an area, and no associate of such a programme contractor, has, or during the period of the contract will acquire, control over any programme contractor with whom the Authority enter into a contract for the provision of local sound broadcasts for reception in any locality which in the opinion of the Authority is comprised in that area, and

(*b*) that no programme contractor with whom the Authority enter into a contract for the provision of local sound broadcasts for reception in a particular locality, and no associate of such a programme contractor, has, or during the period of the contract will acquire, control over any programme contractor with whom the Authority enter into a contract for the provision of television programmes for an area which in the opinion of the Authority includes that locality."

(3) In subsection (3) of that section, after the words " disqualified person " there shall be inserted the words " in relation to contracts for the provision of television programmes " ; and after that subsection there shall be inserted the following subsection:—

" (3A) In subsection (2)(*a*) of this section ' disqualified person ', in relation to contracts for the provision of local sound broadcasts, means a person who either falls within paragraph (*a*), paragraph (*b*) or paragraph (*c*) of subsection (3) of this section or, being an individual or a

body corporate, carries on (whether alone or in partnership) a business which (either wholly, or to an extent which in the opinion of the Authority is substantial)—

(*a*) consists of the manufacture of records or of the publication of musical works, or

(*b*) consists of promoting the broadcasting of sound recordings or of promoting the broadcasting or performance of musical works, or

(*c*) consists of obtaining employment for theatrical performers or for persons to take part as performers in programmes broadcast (whether by the Authority or otherwise) by way of television or sound broadcasting,

or has control over any body corporate which carries on such a business, or is a director or officer of any such body corporate, or is employed by any person who carries on such a business."

(4) After subsection (4) of that section there shall be added the following subsection:—

"(5) In this section—

(*a*) 'record' and 'sound recording' have the same meanings as in the Copyright Act 1956, and references to the publication, broadcasting or performance of musical works shall be construed as if they were contained in that Act; and 1956 c. 74.

(*b*) 'theatrical performer' has the same meaning as in the Theatrical Employers Registration Act 1925." 1925 c. 50.

Accumulation of interests in sound programme contracts

7.—(1) Before entering into a sound programme contract the Authority shall seek to ascertain—

(*a*) whether the person or any of the persons with whom the contract is proposed to be made is (either alone or in partnership with one or more other persons) entitled to the benefit of one or more existing sound programme contracts, and

(*b*) where the person or any of the persons with whom the contract is proposed to be made is a body corporate, whether that body corporate, or any associate of that body corporate, or any participant in that body corporate or in any such associate, is a person or one of the persons entitled to the benefit of one or more existing sound programme contracts, or is a participant in a body corporate so entitled or included among the persons so entitled or in an associate of a body corporate so entitled or so included,

and, having regard to any matters ascertained by them under this subsection, the Authority shall consider whether, if the

proposed contract were made, any one person would, in any one or more of the capacities mentioned in paragraphs (*a*) and (*b*) of this subsection or in any combination of any such capacities, have an aggregate interest in the benefit of two or more sound programme contracts.

(2) If, in the circumstances mentioned in the preceding subsection, it appears to the Authority that a person would have such an aggregate interest and that, having regard to—

(*a*) the nature and extent of that aggregate interest, and

(*b*) any other circumstances appearing to the Authority to be material,

the existence of that aggregate interest might prejudice the performance by the Authority of any duty imposed on them by this Act, or imposed on them in relation to local sound broadcasting services by the principal Act, the Authority shall refrain from entering into the proposed contract.

(3) In this section "sound programme contract" means a contract for the provision of local sound broadcasts, and "existing sound programme contract", in relation to any contract proposed to be entered into by the Authority, means a sound programme contract which is in force at the time when the Authority are considering entering into the proposed contract; and "participant", in relation to a body corporate, means a person who (whether alone or jointly with one or more other persons, and whether directly or through one or more nominees) holds or is beneficially entitled to not less than one-twentieth of the shares in that body corporate.

Special provisions as to newspaper shareholdings in relation to local sound broadcasts.

8.—(1) This section applies to any contract made between the Authority and a programme contractor, where the programme contractor is a body corporate and the contract requires local sound broadcasts to be provided by the contractor and to be transmitted from one or more stations specified in the contract.

(2) Subject to the next following section, before the Authority enter into a contract to which this section applies—

(*a*) they shall consider, in relation to the locality served or to be served by the station or stations to be specified in the contract (in this section referred to as "the relevant locality"), whether there is any newspaper which circulates wholly or mainly in that locality and is a newspaper in respect of which the appropriate conditions are fulfilled, and

(*b*) the Authority shall fix a date before which representations may be made to the Authority under subsection

(4) of this section and shall cause notice of that date to be given or published as may appear to the Authority to be appropriate for bringing it to the attention of persons who in their opinion are likely to be affected by it.

(3) For the purposes of this section the appropriate conditions shall be taken to be fulfilled in respect of a newspaper if it has in the relevant locality a circulation which, in the opinion of the Authority, represents a substantial proportion of the population of that locality, unless the Authority are satisfied that the broadcasting of the programmes to be provided under the contract in question is unlikely to have a materially adverse effect on the financial position of the newspaper.

(4) The appropriate conditions shall also be taken for the purposes of this section to be fulfilled in respect of a newspaper if, on representations being made to the Authority by or on behalf of the proprietor of the newspaper before the date fixed under subsection (2)(*b*) of this section, the Authority are satisfied that (notwithstanding that its circulation falls short of the proportion mentioned in subsection (3) of this section) the broadcasting of the programmes to be provided under the contract in question is likely to have a materially adverse effect on the financial position of the newspaper.

(5) Where it appears to the Authority that the appropriate conditions are fulfilled in respect of a newspaper, then, subject to the next following section, the Authority shall not enter into the contract unless they are satisfied that—

(*a*) arrangements have been made for enabling the proprietor of the newspaper to acquire, on terms approved by the Authority, a shareholding consisting of such number of shares of such descriptions as may be so approved, and

(*b*) either the acquisition of the shareholding has been completed, or it will be completed within a reasonable time, or the proprietor of the newspaper has declined to acquire it on the terms approved by the Authority.

(6) The number and description of shares to be approved for the purposes of any such arrangements—

(*a*) in the case of a newspaper which is the only local newspaper circulating in the relevant locality, or the only local newspaper having a substantial circulation in that locality, shall not be such as to enable the proprietor of the newspaper to obtain control over the programme contractor, but

(*b*) in any other case, or (in a case falling within the preceding paragraph) to such extent as is consistent with that paragraph, shall be such as the Authority consider appropriate, having regard to the adverse effect which the broadcasting of the programmes to be provided under the contract in question is likely to have on the financial position of the newspaper.

(7) Any terms approved by the Authority under subsection (5)(*a*) of this section shall be such as, in the opinion of the Authority, will enable the shareholding to be acquired at a price not exceeding its current market value or (if it has no current market value) a price not exceeding a fair valuation of the shareholding.

(8) In this and the next following section "newspaper" does not include any publication which is not printed for sale or which is published at intervals of more than seven days, and "shareholding", in relation to a programme contractor which is a body corporate, means a holding of shares in that body corporate.

Provisions supplementary to section 8.

9.—(1) Notwithstanding anything in section 8 of this Act, the Authority shall not require arrangements to be made in relation to a newspaper as mentioned in subsection (5) of that section if it is their opinion that it would be contrary to the public interest for the proprietor of that newspaper to acquire a shareholding in accordance with subsection (6) of that section, and the Minister concurs in that opinion.

(2) Every contract to which that section applies shall include provisions whereby, if during the currency of the contract arrangements are made for extending (otherwise than by way of any minor modification) the range of transmission of programmes to be provided under the contract, whether by an alteration in the construction or operation of one or more stations or by the addition of one or more stations or otherwise, subsections (2) to (7) of that section and subsection (1) of this section shall have effect in relation to those arrangements as if they were a contract to which that section applies.

(3) The Authority shall not be required to act in accordance with subsections (2) to (7) of section 8 of this Act in connection with the making of a contract with a programme contractor if—

(*a*) the contract is to specify the same station as was, or the same stations as were, specified in a previous contract to which that section applied (whether the previous contract was with the same programme contractor or a different programme contractor), and

(*b*) the range or aggregate range of transmission of broadcasts under the new contract is not to be greater (otherwise than by way of any minor modification) than under the previous contract.

(4) Where subsection (3) of this section applies, it shall not be construed as precluding the Authority from requiring such arrangements as are mentioned in subsections (5) to (7) of section 8 of this Act to be made in connection with the new contract in respect of a newspaper whose proprietor acquired a shareholding in accordance with such arrangements in connection with the previous contract, if it appears to the Authority that by reason of special circumstances it would be just and equitable to do so.

Information as to programme contracts and applications for such contracts.

10.—(1) Where the Authority enter into a contract with a programme contractor for the provision of local sound broadcasts to be transmitted from one or more stations, the Authority shall, on request made by any person and on payment by him of such sum (if any) as the Authority may reasonably require, furnish to that person such one or more of the following as may be specified in the request, that is to say—

(*a*) a copy of that contract;

(*b*) a statement of the number of applications (if any) received by the Authority for a programme contract for the provision of local sound broadcasts to be transmitted from that station or those stations, other than the application received from the contractor with whom the contract is made; and

(*c*) subject to the next following subsection, a copy of so much of that contractor's application for such a contract as related to the character of the local sound broadcasts which he proposed to provide if his application were accepted by the Authority.

(2) The Authority shall not be required by virtue of the preceding subsection to furnish to any person such a copy as is mentioned in paragraph (*c*) of that subsection until after local sound broadcasts provided by the contractor under the contract in question have begun to be transmitted by the Authority.

Advances to Authority for purposes of local sound broadcasting, and administrative expenses.

11.—(1) For the purpose of enabling the Authority to defray expenditure properly attributable to capital account in respect of the provision of local sound broadcasting services, and for the purpose of furnishing the Authority with working capital in connection with those services, the Minister may with the consent of the Treasury make advances to the Authority out of moneys provided by Parliament.

(2) The aggregate amount outstanding by way of principal in respect of sums advanced to the Authority under this section shall not at any time exceed £2 million.

(3) Any sums advanced under this section shall be repaid to the Minister at such times and by such methods, and interest on those sums shall be paid to him at such times and at such rates, as he may from time to time direct with the consent of the Treasury.

(4) All sums received by the Minister in pursuance of subsection (3) of this section shall be paid into the Consolidated Fund.

(5) There shall be paid out of moneys provided by Parliament any increase attributable to this Act in the sums so payable under paragraph 4 of Schedule 1 to the Ministers of the Crown Act 1964 (which relates to expenses of Ministers) as applied by section 2 of the Post Office Act 1969.

1964 c. 98.
1969 c. 48.

Minor and consequential amendments and repeals.

12. Without prejudice to the amendments made by the preceding provisions of this Act, the principal Act shall have effect subject to the amendments specified in Schedule 1 to this Act (being minor amendments or amendments consequential upon the preceding provisions of this Act); and the provisions of that Act specified in Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title, citation, interpretation, extent and commencement.

13.—(1) This Act may be cited as the Sound Broadcasting Act 1972; and the Television Act 1964 and this Act may be cited together as the Television and Sound Broadcasting Acts 1964 and 1972.

1964 c. 21.

(2) Except in so far as the context otherwise requires, expressions to which a meaning is assigned by the principal Act have the same meanings in this Act as in that Act.

(3) Any reference in this Act to an enactment shall, except in so far as the context otherwise requires, be construed as a reference to that enactment as amended or extended by or under any other enactment; and, in particular, any reference in this Act to any provisions of the principal Act shall, where the case so requires, be construed as a reference—

(*a*) to those provisions as amended or extended by or under any other enactment, including this Act, or

(*b*) to those provisions as inserted in the principal Act (whether in substitution for other provisions or not) by this Act.

(4) It is hereby declared that this Act extends to Northern Ireland.

(5) Her Majesty may by Order in Council direct that all or any of the provisions of this Act, or of the principal Act as amended by this Act, shall extend to the Isle of Man or any of the Channel Islands, with such adaptations and modifications (if any) as may be specified in the Order; and any Order in Council under this subsection may be revoked or varied by a subsequent Order in Council.

(6) This Act shall come into operation at the end of the period of one month beginning with the day on which it is passed.

Section 12.

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS OF TELEVISION ACT 1964

Provision of Act	*Amendment*
Section 1 ...	In subsection (1), for the word " Television " there shall be substituted the word " Broadcasting "; in subsection (3), after the word " television " there shall be inserted the words " and local sound ", and after the word " additional " there shall be inserted the words " in each case "; and in subsection (4), after the word " television " there shall be inserted the words " and local sound " and, in paragraph (*c*), after the word " showing " there shall be inserted the words " or (as the case may be) hearing ".
Section 2 ...	In subsection (1)(*b*), after the word " television " there shall be inserted the words " and sound "; and in subsection (5), after the words " television services ", in the first place where they occur, there shall be inserted the words " and local sound broadcasting services ", after the words " broadcasting of any matters in sound only " there shall be inserted the words " otherwise than as part of a local sound broadcast ", and in the proviso, after the word " any ", in the first place where it occurs, there shall be inserted the word " television ".
Section 3 ...	In subsection (1), the word " and ", where it occurs at the end of paragraph (*d*), shall be omitted, and after that paragraph there shall be inserted the following paragraph:— " (*dd*) in the case of local sound broadcasting services, that the programmes broadcast from different stations for reception in different localities do not consist of identical or similar material to an extent inconsistent with the character of the services as local sound broadcasting services; and ".
Section 4 ...	In paragraph (*a*) of subsection (1), after the word " violence " there shall be inserted the words " and in regard to the inclusion in local sound broadcasts of sounds suggestive of violence ", and after the word " watching ", in the first place where it occurs, there shall be inserted the words " or listening to " and, in the second place where it occurs, there shall be inserted the words " or listening ".

SCH. 1

Provision of Act	*Amendment*
Section 5 ...	The following subsection shall be substituted for subsection (1):—

"(1) In the case of programmes other than advertisements, the methods by which the Authority discharge their duties under section 1(4) and section 4 of this Act in relation to television broadcasts shall, and in relation to local sound broadcasts (to such extent as the Authority consider appropriate) may, include the consideration of programme schedules submitted by programme contractors to the Authority for approval in accordance with this section; and, subject to subsection (5) of this section, no such programme provided by a programme contractor—

(*a*) if it is a television programme, or

(*b*) if it is a local sound broadcast which the Authority have required to be made in accordance with a programme schedule so approved,

shall be broadcast by the Authority unless it forms part of a programme schedule so approved."

Section 11 ... In subsection (6) the following paragraph shall be substituted for paragraph (*b*):—

"(*b*) that each of the programme contractors with whom the Authority enter into contracts for the provision of television programmes is afforded opportunities of obtaining a financial interest in that body or organisation or, if there are two or more such bodies or organisations providing news for broadcasting in the television programmes supplied to the Authority by those contractors, is afforded opportunities of obtaining a financial interest in such of those bodies or organisations as the Authority may in his case direct; and".

Section 13 ... In subsection (1), after the words "programme contractors", in the first place where they occur, there shall be inserted the words "for the provision of television programmes", and, in paragraph (*a*), after the word "Authority", in the first place where it occurs, there shall be inserted the words "in relation to the branch of their undertaking consisting of the provision of television broadcasting services", and for the words "21(1) of this Act" there shall be substituted the words "20A(2) of this Act in relation to that branch of their undertaking".

Section 14 ... In subsection (1), after the word "contractors", in the first place where it occurs, there shall be inserted the words "for the provision of television programmes"; and in subsection (2), after the words "supply of" there shall be inserted the word "television".

SCH. 1

Provision of Act	*Amendment*
Section 15 ...	In subsection (1), for the words " his programmes ", in each place where they occur, there shall be substituted the words " any comparable programme of his ", and at the end of the section there shall be added the following subsection:— "(3) For the purposes of this section two programmes shall be regarded as being comparable if either— (*a*) both are television programmes, or (*b*) both are local sound broadcasts."
Section 17 ...	The word " television ", in each place where it occurs, shall be omitted.
Section 18 ...	In subsection (8) the word " television " shall be omitted.
Section 19 ...	In subsection (1), the word " television " shall be omitted, and in subsection (2), for the words from " unless " to the end of the subsection there shall be substituted the words " where the transmission is made more than seven days after that event ".
Section 21 ...	Subsections (1) and (2) shall be omitted; at the beginning of subsection (3) there shall be inserted the words " In the case of each branch of the Authority's undertaking (but subject, in the case of the branch consisting of the provision of local sound broadcasting services, to subsection (6) of this section)", and for the words " subsection (2) of this section to the reserve fund of the Authority " there shall be substituted the words " section 20A(4) of this Act to the reserve fund established for that branch "; and after subsection (4) there shall be added the following subsections:— "(5) A direction under subsection (3) of this section shall not require any part of any excess of the revenues of the Authority attributable to one branch of their undertaking to be applied for the purposes of the other branch of their undertaking. (6) In relation to the branch of their undertaking which consists of the provision of local sound broadcasting services, subsections (3) and (4) of this section shall have effect in relation only to so much (if any) of any such excess as is therein mentioned as is not required for complying with any direction given under section 5 of the Sound Broadcasting Act 1972."
Section 25 ...	After the word " one " there shall be inserted the word " television ".

SCH. 1

Provision of Act	*Amendment*
Section 28 ...	In subsection (1), before the definition of " broadcast relay station " there shall be inserted the words " ' associate ' in relation to a body corporate (including a programme contractor which is a body corporate) means a body corporate which is a member of the same group as that body corporate; and for this purpose any two bodies corporate are to be treated as members of the same group if one of them is a body corporate of which the other is a subsidiary (within the meaning of section 154 of the Companies Act 1948) or if both of them are subsidiaries (within the meaning of that section) of one and the same body corporate," and after the definition of " financial year " there shall be inserted the following:— 1948 c. 38. " ' local sound broadcast ' and ' local sound broadcasting services ' have the meanings assigned to them by section 2(3) of the Sound Broadcasting Act 1972; ' the Minister ' means the Minister of Posts and Telecommunications "; and after subsection (2) there shall be inserted the following subsection:— " (3) References in this Act to a contract for the provision by a programme contractor of local sound broadcasts shall be construed in accordance with section 2(4) of the Sound Broadcasting Act 1972."
Schedule 1 ...	In paragraph 3(3), after the words " this Act " there shall be inserted the words " or the Sound Broadcasting Act 1972 ".
Schedule 2 ...	In paragraph 9 the word " television " shall be omitted.

SCHEDULE 2

Section 12.

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
1964 c. 21.	The Television Act 1964.	In section 3, in paragraph (*d*) of subsection (1), the word " and " where it occurs at the end of that paragraph. In section 17, the word " television " in each place where it occurs. In section 18, in subsection (8), the word " television ".

SCH. 2

Chapter	Short Title	Extent of Repeal
1964 c. 21 — *cont.*	The Television Act 1964 — *cont.*	In section 19, in subsection (1), the word " television ". In section 21, subsections (1) and (2). In Schedule 2, in paragraph 9, the word " television ".