



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART III

#### INDEPENDENT RADIO SERVICES

### CHAPTER II

#### SOUND BROADCASTING SERVICES

##### *National services*

#### **99 Procedure to be followed by Authority in connection with consideration of applications for national licences.**

- (1) Where a person has made an application for a national licence in accordance with section 98, [F<sup>1</sup>OFCOM] shall not proceed to consider whether to award him the licence on the basis of his cash bid in accordance with section 100 unless it appears to them—
  - (a) that his proposed service would F<sup>2</sup>...—
    - (i) comply with any requirement specified under subsection (1)(b)(iii) or (iv) of section 98, F<sup>3</sup>...
    - F<sup>3</sup>(ii) .....
  - (b) that he would be able to maintain that service [F<sup>4</sup>and any proposed simulcast radio service corresponding to that service] throughout the period for which the licence would be in force.
- (2) Any reference to an applicant in section 100 (except in section 100(9)(b)) is accordingly a reference to an applicant in whose case it appears to [F<sup>1</sup>OFCOM] that the requirements of subsection (1)(a) and (b) above are satisfied.

---

*Changes to legislation: There are currently no known outstanding effects for the Broadcasting Act 1990, Section 99. (See end of Document for details)*

---

#### **Textual Amendments**

- F1** Words in s. 99 substituted (29.12.2003) by **Communications Act 2003 (c. 21), s. 411(2), Sch. 15 para. 39(2)** (with **Sch. 18**); **S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)**
- F2** Word in s. 99(1)(a) repealed (29.12.2003) by **Communications Act 2003 (c. 21), s. 411(2), Sch. 15 para. 39(3)(a), Sch. 19(1)** (with **Sch. 18**); **S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)**
- F3** S. 99(1)(a)(ii) and the word immediately preceding it repealed (29.12.2003) by **Communications Act 2003 (c. 21), s. 411(2), Sch. 15 para. 39(3)(b), Sch. 19(1)** (with **Sch. 18**); **S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)**
- F4** Words in s. 99(1)(b) inserted (29.12.2003) by **Communications Act 2003 (c. 21), s. 411(2), Sch. 15 para. 39(4)** (with **Sch. 18**); **S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)**

#### **Modifications etc. (not altering text)**

- C1** Pt. III: transfer of functions (29.12.2003) by **Communications Act 2003 (c. 21), s. 411(2), Sch. 1 para. 5** (with **Sch. 18**); **S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)**

**Changes to legislation:**

There are currently no known outstanding effects for the Broadcasting Act 1990, Section 99.