

**CHANNEL 4 LICENCE**

ATTACHMENT TO VARIATION NUMBER 20 DATED 23 DECEMBER 2020

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## SCHEDULE

### Part 1: DEFINITIONS AND INTERPRETATIONS RELATING TO THE LICENCE

#### 1. Definitions and Interpretations

(1) In this Licence unless the context otherwise requires:

references to any **“accounting period”** of the Corporation shall be interpreted in accordance with Section 19(9) of the 1990 Act;

**“the 1990 Act”** means the Broadcasting Act 1990 (as amended);

**“the 1996 Act”** means the Broadcasting Act 1996 (as amended);

**“700 MHz DTT Clearance Programme”** means the clearance of DTT services from the frequencies 694 MHz to 790 MHz and the associated reassignment of DTT Services within the frequency range 470 MHz to 694 MHz. This policy is set out in Ofcom’s Decision to make the 700MHz band available for mobile data statement published on 19 November 2014 and Maximising the benefits of 700 MHz clearance statement published on 17 October 2016.

references to **“all relevant codes and guidance”** means all codes and guidance referred to in this Licence, the 1990 Act, the 1996 Act or the Communications Act;

**“Appropriate Network”** shall be interpreted in accordance with section 272(7) of the Communications Act for the purpose of interpreting Conditions 2(1A) to 2(1D) of this licence.

**“Audiovisual Media Services Directive”** means Directive 2010/13/EU, as amended by Directive 2018/1808/EU);

**“C3/C4 multiplex licence”** means the licence granted by the Independent Television Commission to Digital 3 and 4 Limited under Part 1 of the 1996 Act on 19 December 1997 and renewed by Ofcom on 3 June 2009;

**“C4 Area”** means the geographic area in which a broadcast made in accordance with Condition 2(2)(a) of this Licence is available for reception by members of the public;

**“Channel 4 Service”** means the television broadcasting service known as Channel 4 provided with a view to it being broadcast in digital form in the C4 Area in accordance with the Conditions of this Licence

**“Code on Sports and other Listed and Designated Events”** means the code giving guidance as to the broadcasting of sports and other listed events as drawn up and from time to time revised by Ofcom in accordance with Section 104 of the 1996 Act;

**“Code on Subtitling, Signing and Audio-Description”** means the code giving guidance as to:

(a) the extent to which the Channel 4 Service but not electronic programme guides should promote the understanding and enjoyment by persons who are deaf or hard of hearing and by persons who are blind or partially sighted and by persons with a dual sensory impairment of the programmes to be included in those services; and

(b) the means by which such understanding and enjoyment should be promoted;

as drawn up and from time to time revised by Ofcom in accordance with Section 303 of the Communications Act;

**“Commencement Date”** means the date referred to in Clause 2 of the Licence;

the **“Communications Act”** means the Communications Act 2003;

**“Distribution”** means the conveyance of the Channel 4 Service (by whatever means and whether directly or indirectly) to the broadcasting stations from which it is broadcast so as to be available for reception by members of the public;

**“ECTT Party”** means a state that has signed and ratified the European Convention on Transfrontier Television;

**“electronic programme guide”** and **“EPG”** mean a service which:

(a) is or is included in the Channel 4 Service; and

(b) consists of:

(i) the listing or promotion, or both the listing and the promotion, of some or all of the programmes included in any one or more programme services the providers of which are or include persons other than the provider of the guide; and

(ii) a facility for obtaining access, in whole or in part, to the programme service or services listed or promoted in the guide;

the **“European Convention on Transfrontier Television”** means the Council of Europe Convention on Transfrontier Television which was opened for signature at Strasbourg on 5th May 1989, as amended by the Protocol which was opened for signature at Strasbourg on 1st October 1998;

**“Fairness Code”** means the code giving guidance as to principles to be observed and practices to be followed in connection with the avoidance of unjust or unfair treatment and unwarranted infringement of privacy in the provision of television and radio services

as drawn up and from time to time revised by Ofcom in accordance with Section 107 of the 1996 Act and paragraph 53 of Schedule 18 to the Communications Act;

**“Fairness Complaint”** shall be interpreted in accordance with Section 110(4) of the 1996 Act;

**“Independent Productions”** means programmes of such description as the Secretary of State shall pursuant to Section 277(2) of the Communications Act from time to time by order specify;

**“Initial Expiry Date”** means, in accordance with Section 231(6) of the Communications Act, 31 December 2014;

**“Initial Licensing Period”** means the period from the Commencement Date to the Initial Expiry Date;

**“Intended Audience”** shall be interpreted in accordance with sections 272(7) and 273(7) of the Communications Act for the purpose of interpreting Conditions 2(1B) to 2(1F) of this licence.

**“International Obligation of the United Kingdom”** has the meaning given to it in Section 405 of the Communications Act;

**“Licensing Period”** means the Initial Licensing Period or any Subsequent Licensing Period, as the context shall require;

**“Listed Event”** means a sporting or other event of national interest which is for the time being included in the list drawn up and published by the Secretary of State for the purposes of Part IV of the 1996 Act and a **“Group A event”** is a listed event that is for the time being allocated to Group A of that list and a **“Group B event”** is a listed event that is for the time being allocated to Group B of that list;

the **“M25 area”** shall be interpreted in accordance with Section 362 of the Communications Act;

**“Nominated Archive Body”** means the body for the time being nominated by Ofcom for the purposes of Section 185(2) of the 1990 Act;

**“Ofcom”** means the Office of Communications as established by the Office of Communications Act 2002;

**“Peak Viewing Times”** means 6pm until 10.30pm each day or such other times as may be determined by Ofcom;

**“Programme”** unless otherwise stated includes an advertisement and anything included in the Channel 4Service;

**“Qualifying Programmes”** means programmes of such description as the Secretary of State shall pursuant to Section 277(2) of the Communications Act from time to time by order specify;

**“Qualifying Revenue”** has the same meaning as in Section 19(2) to (6) of the 1990 Act and shall be ascertained in accordance with that Section and the Ofcom Statement of Charging Principles as from time to time revised by Ofcom in consultation with the Secretary of State and the Treasury pursuant to Part I of Schedule 7 thereto;

**“Relevant International Obligations”** means International Obligations of the United Kingdom that are notified to Ofcom by the Secretary of State for the purposes of securing compliance under Condition 27;

**“Satellite Television Service”** shall be interpreted in accordance with section 273(7) of the Communications Act for the purpose of interpreting Conditions 2(1E) to 2(1H) of this licence.

**“Schools Programmes”** has the meaning given to that term in Section 296(12) of the Communications Act;

**“Standards Code”** means the code or codes governing standards for the content of programmes, including standards and practice in advertising and in the sponsoring of programmes included in television and radio services as drawn up and from time to time revised by Ofcom in accordance with Section 319, 332 and/or 335 of the Communications Act;

**“Standards Complaint”** means a complaint about the observance of standards set under Section 319, 322 and/or 335 of the Communications Act;

**“Subsequent Licensing Period”** means any period for which the Licence is renewed in accordance with Section 231(7) of the Communications Act;

**“Table of Digital Terrestrial Broadcasting Stations for Multiplex Licences”** means the table which sets out details of the digital terrestrial broadcasting stations for Multiplex 2 as published in Version 12 dated 23 May 2013 and revised from time to time by Ofcom, or any replacement to this table as may be published by Ofcom;

**“Television Technical Performance Code”** means the code governing technical standards and practice in:

- (a) programme production and acquisition;
- (b) broadcasting available for reception by members of the public; and
- (c) distribution (as defined in Section 66(2) of the 1990 Act)

in the provision of Channel 3, Channel 4 and Channel 5 services as drawn up and from time to time revised by Ofcom;

- (2) The Interpretation Act 1978 shall apply for the purpose of interpreting this Licence as if it was an Act of Parliament.
- (3) Any word or expression used in this Licence shall unless otherwise defined herein and/or the context otherwise requires has the same meaning as it has in the 1990 Act, the 1996 Act or the Communications Act, as the case may be.
- (4) For the purposes of interpreting this Licence headings and titles shall be disregarded.
- (5) The statutory references immediately preceding the Conditions in this Licence for purposes purely of convenience and shall not affect the interpretation or construction of the Licence or limit the statutory basis for the inclusion of the relevant Condition in the Licence.
- (6) Where an order is made under the Deregulation and Contracting Out Act 1994 which authorises a person to exercise any functions of Ofcom, the relevant references in the Licence to Ofcom shall include a reference to that person.
- (7) This Licence shall be governed by English law.

## PART 2: GENERAL CONDITIONS

### **2. Provision of the Channel 4 Service by the Corporation**

*Section 231 of the Communications Act (see also paragraph 47 of Schedule 18 to the Communications Act)*

- (1) The Corporation shall supply the Channel 4 Service to the holder of the C3/C4 multiplex licence for broadcast.

*Communications Act 2003 (Commencement No 4) Order 2009*

- (1A) The Corporation shall ensure that the Channel 4 Service is at all times offered as available (subject to the need to agree terms) to be broadcast or distributed by means of every Appropriate Network.

*Section 272 of the Communications Act and Section 24 of the 1990 Act*

- (1B) The Corporation shall do its best to secure that arrangements are entered into and kept in force that ensure:
- (a) that the Channel 4] Service, is broadcast or distributed on Appropriate Networks; and
  - (b) that the broadcasting and distribution of the Channel 4 Service, in accordance with those arrangements, result in its being available for reception, by means of Appropriate Networks, by as many members of its Intended Audience as practicable.
- (1C) The Corporation shall ensure that the arrangements entered into and kept in force pursuant to Condition 2(1B), above, prohibit the imposition, for or in connection with the provision of an Appropriate Network, of any charge that is attributable (whether directly or indirectly) to the conferring of an entitlement to receive the Channel 4 Service in an intelligible form by means of that network.
- (1D) The Conditions 2(1A), (1B) and (1C), above, shall only apply in relation to times when the Channel 4 Service is included in the list of must-carry services in Section 64 of the Communications Act.
- (1E) The Corporation shall ensure that the Channel 4 Service is at all times offered as available (subject to the need to agree terms) to be broadcast by means of every Satellite Television Service that is available for reception by members of the public in the whole or a part of the United Kingdom.

- (1F) The Corporation shall do its best to secure that arrangements are entered into, and kept in force that ensure:
- (a) that the Channel 4 Service is broadcast by means of Satellite Television Services that are broadcast so as to be available for reception by members of the public in the United Kingdom; and
  - (b) that the broadcasting, in accordance with those arrangements, of the Channel 4 Service by means of those Satellite Television Services results in its being available for reception in an intelligible form and by means of those services by as many members of its Intended Audience as practicable.
- (1G) The Corporation shall ensure that the arrangements entered into and kept in force pursuant to Condition 2(1F), above, prohibit the imposition, for or in connection with the provision of a Satellite Television Service, of any charge that is attributable (whether directly or indirectly) to the conferring of an entitlement to receive the Channel 4 Service in an intelligible form by means of that service.
- (1H) The Conditions 2(1E), (1F) and (1G), above, shall only apply in relation to a time when the Channel 4 Service is included in the list of services that are must-provide services for the purposes of Section 274 of the Communications Act.
- (2) The Corporation shall, for the Licensing Period and in the C4 Area procure that:
- (a) the Channel 4 Service is broadcast from the stations specified in, and otherwise in accordance with, all the requirements set out in the Table of Digital Terrestrial Broadcasting Stations for Multiplex Licences, and all the requirements set out in Part 2 of the Annex;
  - (b) the Programmes to be included in the Channel 4 Service are broadcast in the C4 Area on each day of the week and for up to 24 hours a day;
- (3) Nothing in this Licence shall constitute or imply any warranty, representation or obligation on the part of Ofcom as to the size or location of the areas actually capable of receiving the Programmes provided by the Corporation pursuant to the Licence or that Programme services provided by the holder of any other licence shall not be capable of reception in the whole or any part of the C4 Area.
- (4) The Corporation shall not be authorised by or under the Licence to broadcast or procure the broadcasting of anything other than the Channel 4 Service, subtitling in connection with Programmes on the Channel 4 Service and services (other than subtitling) which are

ancillary to Programmes included in the Channel 4 Service and directly related to their content or related to the promotion or listing of such Programmes.

- (5) In providing the Channel 4 Service, the Licensee shall publish or provide recipients of the service with, supply the following information upon request:
- (a) the name of the Licensee;
  - (b) the address of the Licensee;
  - (c) the Licensee's electronic address;
  - (d) confirmation that the service falls under the UK's jurisdiction;
  - (e) the name, address and electronic address of Ofcom as well as the name, address and electronic address of any appropriate co-regulator of Ofcom for any purpose in relation to the Licensee or the Licensed Service, as appropriate; and
  - (f) Only if the Licensed Service is a programme service that is receivable in an ECTT Party other than the United Kingdom:
    - (i) composition of the Licensee's capital; and
    - (ii) the nature, purpose and mode of financing of the programming service the broadcaster is providing or intends to provide.

### ***3. Prohibition on the imposition of charges***

#### *Sections 231(9) and (10) of the Communications Act*

The Corporation shall not impose any charges, whether directly or indirectly, on persons in respect of their reception in the United Kingdom of:

- (a) the Channel 4 Service;
- (b) any service consisting in the provision of assistance for disabled people in relation to Programmes included in the Channel 4 Service;

*[NB contravention of this Condition will also be unlawful by virtue of Section 231(9)]*

- (c) any service (other than one mentioned in Condition 3(b) above) which is an ancillary service (as defined in Section 24(2) of the 1996 Act) in relation to the Channel 4 Service.

#### **4. Fees**

##### *Section 4(1)(b), (3) and (4) of the 1990 Act*

- (1) The Corporation shall pay to Ofcom such fees as Ofcom may determine in accordance with the tariff fixed by it and for the time being in force under Section 4(3) of the 1990 Act, details of which, and of any revision thereof, Ofcom shall from time to time publish in such manner as it considers appropriate.
- (2) Payment of the fees referred to in Condition 4(1) shall be made in such manner and at such times as Ofcom shall specify.

##### *Section 4(1)(c) of the 1990 Act*

- (3) The Corporation shall within 28 days of a request therefor provide Ofcom with such information as it may require for the purposes of determining or revising the tariff referred to in Condition 4(1) above.

#### **5. Contributions to the national television archive**

##### *Section 185 of the 1990 Act*

- (1) The Corporation shall pay to Ofcom on each anniversary of the Commencement Date throughout the Licensing Period or on such other date in each year of the Licensing Period as Ofcom may specify such amount as Ofcom shall notify to the Corporation, being the Corporation's contribution towards the expenses incurred by the Nominated Archive Body in connection with the maintenance by it of a national television archive.
- (2) Payments under this Condition 5 shall be made in such manner as Ofcom may from time to time specify.

#### **6. V.A.T.**

##### *Section 4(1)(b) and (d) of the 1990 Act*

- (1) The Corporation shall pay any V.A.T. on any supply for V.A.T. purposes by Ofcom under this Licence on presentation of a valid VAT invoice.
- (2) Without limitation to Condition 6(1) above, all sums payable by the Corporation are exclusive of V.A.T. which shall be paid by the Corporation in addition to such sums.
- (3) In this Condition 6 "V.A.T." means value added tax chargeable under or pursuant to the Value Added Tax Act 1994, including any amendment to or replacement of that Act, and/or any similar tax.

## **7. Public Service Remit and Programme Policy**

### *Section 265(1) of the Communications Act*

- (1) The Corporation shall ensure that it fulfils the public service remit, in the provision of the Channel 4 Service, to provide a broad range of high quality and diverse programming (or such remit as may from time to time be modified by the Secretary of State pursuant to Section 271(1) of the Communications Act) which, in particular:
  - (a) demonstrates innovation, experiment and creativity in the form and content of Programmes;
  - (b) appeals to the tastes and interests of a culturally diverse society;
  - (c) makes a significant contribution to meeting the need for the licensed public service channels to include Programmes of an educational nature and other Programmes of educative value; and
  - (d) exhibits a distinctive character.

### *Section 266 of the Communications Act*

- (2) The Corporation shall prepare a statement of Programme policy (in accordance with the requirements of Condition 7(4) below) as soon as practicable after the commencement of Section 266 and subsequently at annual intervals:
  - (a) setting out its proposals for securing that, during the following year,
    - (i) the public service remit for the Channel 4 Service will be fulfilled; and
    - (ii) the duties imposed on it under Conditions 8 to 13 and Condition 15 below and by virtue of Sections 277 to 296 of the Communications Act (as applicable to the Channel 4 Service) will be performed; and
  - (b) containing a report on its performance in carrying out, during the period since the previous statement, the proposals contained in that statement.
- (3) The Corporation shall monitor its own performance in the carrying out of the proposals contained in the statements made in pursuance of Condition 7(2) above.
- (4) Each statement of Programme policy must be:

- (a) prepared having regard to guidance drawn up and from time to time revised by Ofcom in accordance with Section 266(5) and (6) of the Communications Act;
- (b) prepared taking account of the reports previously published by Ofcom under Sections 264 and 358 of the Communications Act and in particular take special account of the most recent such reports;
- (c) published by the Corporation as soon as practicable after its preparation is complete; and
- (d) published in such manner as the Corporation considers appropriate having regard to the guidance referred to in Condition 7(4)(a) above.

*Section 267 of the Communications Act*

- (5) If the Corporation's statement of Programme policy contains proposals for a significant change (which shall be determined in accordance with Section 267(4) and Section 267(5) of the Communications Act including any guidance issued and from time to time revised by Ofcom) as a result of which the Channel 4 Service would in any year be materially different in character from in previous years, the Corporation shall:
  - (a) consult Ofcom before preparing the statement; and
  - (b) take account, in the preparation of the statement, of any opinions expressed to it by Ofcom.
- (6) If it appears to Ofcom that a statement of Programme policy has been prepared by the Corporation in contravention of Condition 7(5) above, the Corporation shall, in accordance with any directions given to it by Ofcom:
  - (a) revise such statement; and
  - (b) publish a revision of such statement after it has been approved by Ofcom.

*Section 266(7) and (8) of the Communications Act*

- (7) Without prejudice to the requirement in Condition 7(2) above as to the time at which the Corporation is required to make the first statement of Programme policy, the Corporation's statement of policy that is in force on the date of commencement of Section 266 of the Communications Act shall be treated as if it were a statement for the time being in force until the statement required by Condition 7(2) has been prepared and published in accordance with the requirements of this Condition 7.

## **8. Regional Programme-Making**

### *Section 288(1) and (4) of the Communications Act*

- (1) The Corporation shall include in the Channel 4 Service Programmes made in the United Kingdom outside the M25 area:
  - (a) in the proportions specified in paragraph 6 of Part 1 of the Annex; and
  - (b) which, taken together, constitute a suitable range of such Programmes.
- (2) The Corporation shall ensure that the proportion of expenditure specified in paragraph 6 of Part 1 of the Annex (determined by reference to the expenditure of the Corporation on Programmes made in the United Kingdom for viewing in the Channel 4 Service) is referable to Programme production at different production centres outside the M25 area which, taken together, constitute a suitable range of such production centres.
- (3) In complying with this Condition 8, the Corporation shall have regard to any guidance that may be issued by Ofcom.
- (4) In this Condition 8, “**Programme**” does not include an advertisement, and “**expenditure**”, in relation to a Programme, has the meaning given to it in Section 288(5) of the Communications Act.

## **9. Involvement of the Corporation in Programme-making**

### *Section 295 of the Communications Act*

- (1) The Corporation shall not be involved in the making of Programmes to be broadcast as part of the Channel 4 Service, except to such extent as Ofcom may from time to time allow.
- (2) In this Condition 9 “**Programme**” does not include an advertisement.

## **10. Schools Programmes**

### *Section 296 of the Communications Act*

- (1) The Corporation shall:
  - (a) acquire from other persons, or finance the production of, such numbers of hours of Schools Programmes in each calendar year of the Licensing Period as Ofcom may from time to time specify;

- (b) ensure that the time allocated to Schools Programmes included in the Channel 4 Service constitutes no less than the total amount of time specified in paragraph 4 of Part 1 of the Annex;
  - (c) include in any statement of Programme policy and, as relevant, statement of content policy, its plans for the delivery of materials to schools otherwise than by the inclusion of Programmes in the Channel 4 Service and shall notify Ofcom in advance of the proposed annual expenditure on such materials; and
  - (d) from time to time consult such bodies or other persons who are concerned with, or have an interest in, schools or the production of Schools Programmes as Ofcom may from time to time specify.
- (2) The Corporation shall ensure that any Schools Programmes included in the Channel 4 Service are of high quality and are suitable to meet the needs of schools throughout the United Kingdom.
- (3) In determining the proportion of Schools Programmes to be included in the Channel 4 Service, Ofcom will take into account services, facilities and materials that the Corporation provides to schools otherwise than by the inclusion of Programmes in the Channel 4 Service

### ***11. Commissioning of Independent Productions***

- (1) The Corporation shall draw up and from time to time revise a code of practice setting out the principles that it will apply when agreeing terms for the commissioning of Independent Productions, such code in particular to secure in the manner described in guidance issued by Ofcom that:
- (a) a reasonable timetable is applied to negotiations for the commissioning of an Independent Production and for the conclusion of a binding agreement;
  - (b) there is what appears to Ofcom to be sufficient clarity, when an Independent Production is commissioned, about the different categories of rights to broadcast or otherwise to make use of or exploit the commissioned production, that are being disposed of;
  - (c) there is what appears to Ofcom to be sufficient transparency about the amounts to be paid in respect of each category of rights;
  - (d) what appears to Ofcom to be satisfactory arrangements are made about the duration and exclusivity of those rights;

- (e) procedures exist for reviewing the arrangements adopted in accordance with the code and for demonstrating compliance with it, such procedures to include requirements for the monitoring of the application of the code and for the making of reports to Ofcom;
  - (f) provision is made for resolving disputes arising in respect of the provisions of the code (by independent arbitration or otherwise) in a manner that appears to Ofcom to be appropriate.
- (2) The Corporation shall ensure that the drawing up or revision of a code made pursuant Condition 11(1) above is in accordance with guidance issued by Ofcom as to:
- (a) the times when it is to be drawn up or reviewed with a view to revision;
  - (b) the consultation to be undertaken before it is drawn up or revised; and
  - (c) its publication and publication of any revision or replacement of it,
- and such code and any revision to it shall be submitted to Ofcom for approval and have effect subject to that approval and such modifications as Ofcom may require.
- (3) The Corporation shall from time to time make any revisions that are necessary to take account of revisions of the guidance issued by Ofcom referred to in Condition 11(2) above.
- (4) The Corporation shall ensure that it complies at all times with any code drawn up and for the time being in force pursuant to this Condition 11.

## **12. Broadcasting of Independent Productions**

### *Section 277 of the Communications Act*

- (1) The Corporation shall ensure that in each calendar year of the Licensing Period not less than the percentage amount specified in paragraph 7 of Part 1 of the Annex (or such other percentage that the Secretary of State may from time to time by order specify pursuant to Section 277(3) of the Communications Act) of the total amount of time allocated to the broadcasting of Qualifying Programmes in the Channel 4 Service is allocated to the broadcasting of a range and diversity of Independent Productions.
- (2) For the purposes of Condition 12(1) above, the reference to a range of Independent Productions is a reference to a range of such productions in terms of cost of acquisition and the types of Programmes involved.

- (3) The Corporation shall comply with any further requirements that Ofcom may from time to time impose pursuant to Section 277(4) of the Communications Act in relation to the percentage of programming budget that is applied in the acquisition (which includes commissioning and acquisition of a right to include a Programme in the Channel 4 Service or to have it broadcast) of Independent Productions (determined in accordance with an order made under Section 277(9) of the Communications Act).
- (4) The Corporation shall comply with any direction of Ofcom for the purpose of carrying forward to one or more subsequent years any shortfall for any year in its compliance with the requirements of Condition 12(1) and (3) above and thereby increasing the percentage applicable for the purposes of those Conditions to the subsequent year or years.
- (5) In complying with this Condition 12, the Corporation shall have regard to any guidance that may be issued by Ofcom.
- (6) In this Condition 12 "**Programme**" does not include an advertisement.

### **13. Original Productions**

#### *Section 278 of the Communications Act*

- (1) The Corporation shall ensure that in each calendar year of the Licensing Period:
  - (a) not less than the percentage amount specified in paragraph 5 of Part 1 of the Annex by time of the Programmes included in the Channel 4 Service are original productions or commissions for the Channel 4 Service; and
  - (b) the time allocated to the broadcasting of original productions is split between Peak Viewing Times and other times in the manner specified in paragraph 5 of Part 1 of the Annex.
- (2) the time allocated to the broadcasting of original productions is split between Peak Viewing Times and other times in the manner specified in paragraph 5 of Part 1 of the Annex.
- (3) For the purposes of this Condition 13 "**Programme**" does not include an advertisement; and "**original productions**" shall be determined in accordance with an order made under Section 278(6) of the Communications Act.

### **14. General Standards and Requirements**

#### *Section 319, 320 and 325(1) of the Communications Act*

The Corporation shall ensure that the provisions of the Standards Code are observed in the provision of the Channel 4 Service.

**14A. Requirements for the handling of communication from viewers**

- (1) The Corporation shall be responsible for all arrangements for the management of communication, including telephony, between members of the public and the Corporation or the Corporation's contractors or agents (together here described as "the Corporation") where such communication is publicised in Programmes. 'Communication' includes, but is not limited to, methods of communication in which consideration is passed between a member of the public and the Corporation directly or indirectly and methods of communication intended to allow members of the public to register with the Corporation indications of preference or intended to allow entry to any competition, game or scheme operated by the Corporation.
  
- (2)
  - (a) Arrangements for the management of methods of communication publicised in Programmes and intended to allow communication between members of the public and the Corporation must ensure, in particular, that:
    - (i) reasonable skill and care is exercised by the Corporation in the selection of the means of communication and in the handling of communications received;
    - (ii) voting, competitions, games or similar schemes are conducted in such ways as to provide fair and consistent treatment of all eligible votes and entries; and
    - (iii) publicity in Programmes for voting, competitions, games or similar schemes is not materially misleading.
  - (b) In addition to the requirements in Condition 14(A)(2)(a), the Corporation shall ensure that the provisions of the code approved by Ofcom for regulating the provision of premium rate services, or in the absence of such a code, the terms of any order made by Ofcom for such purposes, are observed in the provision of the Channel 4 Service.
  
- (3)
  - (a) The Corporation shall implement and maintain appropriate compliance procedures to ensure arrangements for the management of methods of communication publicised in Programmes and intended to allow communication

between members of the public and the Corporation fulfil all the requirements set out in Condition 14(A)(2) above.

- (b) Where the Corporation uses a Controlled Premium Rate Service as defined under the premium rate service Condition in force at the time made under Section 120 of the Communications Act as the method of communication for voting or competitions publicised within Programme time, the Corporation shall ensure that its compliance procedures include a system of verification by an appropriate independent third party ('the third party'), in accordance with the following requirements:
- (i) Verification shall include confirmation by the third party that an end-to-end analysis of the technical and administrative systems to be used for the receipt and processing of votes and competition entries from members of the public has been conducted and that such systems fulfil all the requirements set out in Condition 14(A)(2) above. All such systems and the analysis of such systems must be fully documented.
  - (ii) Verification shall include appropriately regular reviews by the third party of individual programmes. Such reviews must track all votes or competition entries through all stages from receipt, and the results of each review must be fully documented.
  - (iii) The Corporation shall ensure that a member of the Corporation ('the designated member') has specific responsibility for verification.
  - (iv) The Corporation shall ensure that the third party provides reports regarding analyses of processes (as specified under Condition 14(A)(3)(b)(i)) and reviews of individual Programmes (as specified under Condition 14(A)(3)(b)(ii)) to the designated member. If significant irregularities or other problems are discovered, the Corporation shall ensure that these are reported forthwith to Ofcom.
  - (v) The Corporation shall provide forthwith and in an appropriate form any information requested by Ofcom regarding verification.
  - (vi) The Corporation shall retain for at least two years all relevant data regarding votes and competition entries from callers by means of Controlled Premium Rate Services and all documentation regarding the verification of its systems (as specified under Condition 14(A)(3)(b)(i)) and the reviews of individual Programmes (as specified under Condition 14(A)(3)(b)(ii)).

- (vii) The Corporation shall publish annually a statement signed by the designated member confirming that it is satisfied that the Corporation has in place suitable procedures to fulfil the requirements of Condition 14(A)(3)(b) and confirming the name of the third party engaged by the Corporation to fulfil the requirements of Condition 14(A)(3)(b).

*Section 335 of the Communication Act*

- (4) If this Condition applies, the Corporation shall not broadcast advertising and teleshopping which are specifically and with some frequency directed to audiences in a single ECTT Party other than the UK, in a way that other ECTT Party has determined contravenes the rules of that ECTT Party.

**14B. ECTT Standards**

- (1) This Condition applies if, and throughout the period during which, the Channel 4 Service:
  - (a) can be received by the general public in all parts of another ECTT Party using standard consumer equipment; and
  - (b) can be accessed in the relevant Party by means of an electronic programme guide which:
    - (i) is licensed or otherwise regulated under the law of the relevant Party, or
    - (ii) if the relevant Party is a Party other than the United Kingdom whose law does not regulate the provision of electronic programme guides, is provided by a person whose head office is in the relevant Party.
- (2) If this Condition 14B applies, the Corporation shall not broadcast advertising and teleshopping which are specifically and with some frequency directed to audiences in a single ECTT Party other than the UK, in a way which that other ECTT Party has determined contravenes the rules of that ECTT Party, unless the rules concerned establish a discrimination between advertising and teleshopping transmitted by broadcasters within and outside the jurisdiction of that ECTT Party.

**15. News and Current Affairs**

*Section 279 of the Communication Act*

- (1) The Corporation shall include news Programmes and current affairs Programmes in the Channel 4 Service that are of high quality and deal with both national and international matters
- (2) The Corporation shall ensure that the time allocated to news Programmes included in the Channel 4 Service and current affairs Programmes included in the Channel 4 Service:
  - (a) constitutes in each case no less than the total amount of time specified in paragraphs 2 and 3 of Part 1 of the Annex (such time being an appropriate proportion of the time allocated to the broadcasting of all the Programmes included in the channel);; and
  - (b) is, in each case, split between Peak Viewing Times and other times in the manner specified in paragraphs 2 and 3 of Part 1 of the Annex.
- (3) In complying with this Condition 15, the Corporation shall have regard to any guidance that may be issued by Ofcom.

## **16. Party Political Broadcasts**

### *Section 333 of the Communications Act*

- (1) The Corporation shall include in the Channel 4 Service party political broadcasts and referendum campaign broadcasts (as defined in the Political Parties, Elections and Referendums Act 2000) in accordance with such rules as are referred to in paragraph 38 of Schedule 18 to the Communications Act or as from time to time may be made by Ofcom pursuant to Section 333(1)(b) of the Communications Act with respect to such matters.
- (2) Such rules may include, without limitation, provision with regard to: the political parties on whose behalf political broadcasts may be made, the length and frequency of such broadcasts, and the length and frequency of referendum campaign broadcasts that are required to be broadcast on behalf of each designated organisation (as defined in Section 333(6) of the Communications Act).

## **17. Listed Events**

### *Section 101(1) of the 1996 Act (see also Section 300(2) of the Communications Act)*

- (1) The Corporation shall comply in all respects with the Listed Events provisions of the 1996 Act and, for the avoidance of doubt, provisions contained in this Condition 17 that derive

from amendments made to the 1996 Act by the Communications Act shall apply only from such time as relevant Sections of that Act are commenced.

- (2) The Corporation shall not include within the Channel 4 Service (the “**first service**”) live coverage of the whole or any part of a Listed Event unless:
- (a)
    - (i) another person who is providing a service falling within Section 98(1)(b) of the 1996 Act (the “**second service**”) has acquired the right to include in the second service live coverage of the whole of the event or of that part of the event; and
    - (ii) the area for which the second service is provided consists of or includes the whole, or substantially the whole, of the area for which the first service is provided; or
  - (b) Ofcom has consented in advance to inclusion of that coverage in the first service; or
  - (c) the event is a Group B event for which rights to provide coverage have been acquired by one or more other persons in addition to the Corporation; and
    - (i) that additional coverage constitutes adequate alternative additional coverage of the event; and

*Section 104ZA and 101 (1)(C) of the 1996 Act (see Section 302(1) of the Communications Act)*

- (ii) the person or persons who have acquired rights to provide the additional coverage satisfy the requirements in relation to that coverage of any regulations made by Ofcom in accordance with Section 104ZA of the 1996 Act.

*Section 97(5)(a) of the 1996 Act (see also Section 299(3) of the Communications Act)*

- (3) Condition 17(2) shall not apply where:
- (a) the Corporation is exercising rights acquired before 1st October 1996; and
  - (b) the Corporation is exercising rights acquired in relation to an event listed after 1st October 1996 where such rights were acquired before the date referred to in Section 97(5)(a) of the 1996 Act.

*Section 97 (5A) and (5B) of the 1996 Act (see Section 299(4) of the Communications Act)*

- (4) The allocation or transfer of an event to Group A:
- (a) shall not affect the validity of rights acquired in relation to that event where such rights were acquired before the date referred to in Section 97(5A) of the 1996 Act; and
  - (b) where the Secretary of State makes a direction in accordance with Section 97(5B), will not affect the application of Condition 17(2)(c) which will continue to apply in relation to a Group B event that is transferred to Group A as if the event remained a Group B event.

*Section 101(1)(b) of the 1996 Act (see also Section 300(2) of the Communication Act)*

- (5) Except where otherwise stated, this Condition 17 applies to the Channel 4 Service if and to the extent that the Channel 4 Service is made available (within the meaning of Part 3 of the Communications Act) for reception by members of the public in the United Kingdom or in any area of the United Kingdom.

*Section 101B(1) of the 1996 Act*

- (6) The Corporation shall not, without the previous consent of Ofcom, exercise any rights to televise, for reception in another EEA State, the whole or part of an event:

*Section 101A of the 1996 Act*

- (a) that has been designated by that other EEA State, and notified by it to the European Commission, in accordance with Article 14 of the Audiovisual Media Services Directive, as being of major importance to its society; and
- (b) in such a way that a substantial proportion of the public in that State is deprived of the possibility of following that event by live or deferred coverage on free television as determined by that State in accordance with Article 14 of the Audiovisual Media Services Directive

This Condition is without prejudice to the Corporation's right of access to events of high interest to the public for the purpose of short news reports pursuant to Article 15 of the Audiovisual Media Services Directive

*Section 101B(1A) of the 1996 Act*

(6A) The Corporation shall not, without the previous consent of Ofcom, exercise any rights to televise, for reception in another ECTT Party the whole or part of an event:

- (a) that has been designated by that other ECTT Party, and published by the Standing Committee of the European Convention on Transfrontier Television, in accordance with Article 9a of that treaty, as being of major importance to its society; and
- (b) where a substantial proportion of the public in that Party is deprived of the possibility of following that event by live or deferred coverage on free television, as determined by that Party in accordance with any guidelines issued by the Standing Committee of the European Convention on Transfrontier Television.
- (c) This Condition is without prejudice to the Corporation's right to broadcast short reports of events of high interest to the public pursuant to Article 9 of the European Convention on Transfrontier Television.

*Section 104ZA of the 1996 Act (see Section 302(1) of the Communications Act)*

(7) For the purposes of this Condition 17:

- (a) the circumstances in which the televising of listed events generally, or of a particular listed event, is, or is not, to be treated as live for the purposes of Part IV of the 1996 Act shall be determined in accordance with the regulations referred to in Condition 17(2)(c)(ii) above;
- (b) what is (whether generally or in relation to particular circumstances) to be taken to represent the provision of adequate alternative coverage shall be determined in accordance with the regulations referred to in Condition 17(2)(c)(ii) above;

*Section 104(1) of the 1996 Act (see also Section 301(1) of the Communications Act)*

- (c) guidance as to the matters which Ofcom will take into account in determining:
  - (i) whether to give or revoke their consent for the purposes of Condition 17(1) and 17(6); and
  - (ii) whether to take action pursuant to Condition 36(4)(a) or 36(4)(b) in circumstances where the Corporation fails to comply with Conditions 17(2) or 17(6),

shall be provided in the Code on Sports and Other Listed and Designated Events.

- (8) The Corporation shall supply to Ofcom such information as Ofcom may reasonably require to determine the Corporation's compliance with this Condition 17 and for the purposes of determination made by it pursuant to Section 102 or Section 103 of the 1996.

### **18. Advertising and Sponsorship Standards and Requirements**

#### *Section 322 of the Communications Act*

- (1) The Corporation shall comply with all directions, whether general or specific and/or qualified or unqualified, given to it by Ofcom, with respect to:
- (a) the maximum amount of time to be given over to advertisements in any hour or other period;
  - (b) the minimum interval which must elapse between any two periods given over to advertisements;
  - (c) the number of such periods to be allowed in any Programme or in any hour or day; and
  - (d) the exclusion of advertisements from a specified part of the Channel 4 Service,
- which directions may make different provision for different parts of the day, different parts of the week, different types of programmes or for other differing circumstances.

#### *Sections 325(4) and (5) and 321(4) of the Communications Act*

- (2) The Corporation shall comply with all directions given to it by Ofcom with regard to advertisements or methods of advertising or sponsorship, including without limitation directions with respect to:
- (a) the exclusion from the Channel 4 Service of a particular advertisement, or its exclusion in particular circumstances;
  - (b) the descriptions of advertisements and methods of advertising to be excluded from the Channel 4 Service (whether generally or in particular circumstances); and
  - (c) the forms and methods of sponsorship to be excluded from the Channel 4 Service (whether generally or in particular circumstances).

*Sections 121 to 123 and 321(4) of the Communications Act*

- (3) The Corporation shall ensure that the provisions of the code approved by Ofcom for regulating the provision of premium rate services, or in the absence of such a code, the terms of any order made by Ofcom for such purposes, are observed in the provision of the Channel 4 Service.

*Sections 321(1) and 321(4) of the Communications Act*

- (4) The Corporation shall ensure that the provisions of the Standards Code set to secure the objectives in Section 319(2)(a) and (g) to (j) of the Communications Act and relating to standards and practice in advertising and sponsorship of Programmes and any prohibitions of advertisements and forms and methods of advertising or sponsorship of Programmes are observed in the provision of the Channel 4 Service.

*Section 321(4) of the Communications Act*

- (5) The Corporation shall supply to Ofcom details, in whatever form and within such period as Ofcom may reasonably require, of any particular advertisement or any class of advertisement specified by Ofcom or any sponsored Programme which Ofcom shall from time to time request.

**19. Subtitling, Signing and Audio-Description**

*Section 307(1) of the Communications Act*

The Corporation shall ensure that the provisions of the Code on Subtitling, Signing and Audio-Description are observed in the provision of the Channel 4 Service and the Corporation shall provide subtitling, signing and audio-description in the amounts set out in paragraph 8 of Part 1 of the Annex.

**20. Transmission arrangements and technical standards and requirements for the Channel 4 Service**

*Section 4(1)(d) of the 1990 Act*

- (1) The Corporation shall:
- (a) procure that the Channel 4 Service is broadcast so as to be available for reception by members of the public throughout so much of the C4 Area as is for the time being reasonably practicable by the holder of the C3/C4 multiplex licence in accordance with the Table of Digital Terrestrial Broadcasting Stations for Multiplex Licences;

- (b) contribute to the costs incurred by the holder of the C3/C4 multiplex licence in respect of the broadcasting for reception by members of the public of the Channel 4 Service in such manner as may be approved by Ofcom; and
  - (c) do all that it can to ensure that the relevant provisions of the Television Technical Performance Code are observed in all the operations under its direct control, in the Distribution of the Programmes included in the Channel 4 Service, and by any third parties involved in the provision of Programmes included in the Channel 4 Service.
- (2) In this Condition 20 and within definitions that are used in this Condition “**available for reception by members of the public**” shall be construed in accordance with Section 361 of the Communications Act.

## **21. Retention and Production of Recordings**

### *Section 334(1) and (2) of the Communications Act*

- (1) The Corporation shall adopt procedures acceptable to Ofcom for the retention and production of recordings in sound and vision of any Programme. If the Channel 4 Service is an EPG, it may instead adopt procedures acceptable to Ofcom for the retention and production of the information contained in the EPG in human-readable form. The EPG data should be clearly visible as well as the relevant channel, time, date and region.

### *Section 334(1) of the Communications Act*

- (2) In particular, the Corporation shall:
- (a) (i) make and retain or arrange for the retention of a recording in sound and vision of every Programme included in the Channel 4 Service for a period of 90 days from the date of its inclusion therein. If the Channel 4 Service is an EPG, it may instead make and retain or arrange for the retention of the information contained in the EPG in human-readable form for the same period;
  - (ii) retain or arrange for the retention of a recording in sound and vision of every Programme included in the Channel 4 Service where copies of such Programmes are not readily available to the Corporation from other sources for a period of 90 days from the date of first inclusion therein;
- (b) at the request of Ofcom forthwith produce to Ofcom any such recording or information for examination or reproduction; and

- (c) at the request of Ofcom forthwith produce to Ofcom any script or transcript of a Programme included in the Channel 4 Service which the Corporation is able to produce to it.

## **22. General provision of information to Ofcom**

### *Section 4(1)(c) of the 1990 Act*

- (1) The Corporation shall furnish to Ofcom in such manner and at such times as Ofcom may reasonably require such documents, accounts, returns, estimates, reports, notices or other information as Ofcom may require for the purpose of exercising the functions assigned to it by or under the 1990 Act, the 1996 Act or the Communications Act and in particular (but without prejudice to the generality of the foregoing):

### *Section 4(1)(c) of the 1990 Act*

- (a) a declaration as to its corporate structure (or the equivalent if the Corporation is not a body corporate) in such form and at such times as Ofcom shall specify;

### *Section 143(5) of the 1996 Act and Section 5(1)(a) of the 1990 Act*

- (b) such information as Ofcom may reasonably require from time to time for the purposes of determining whether the Corporation on any ground is a disqualified person by virtue of any of the provisions in Section 143(5) of the 1996 Act and/or Schedule 2 to the 1990 Act or contravenes requirements imposed by or under Schedule 14 to the Communications Act;

### *Section 4(1)(c) of the 1990 Act and Section 15 of the 1996 Act*

- (c) annual income and expenditure returns and supplementary annexes in such form and at such times as Ofcom shall require;

### *Section 4(1)(c) and 19 of the 1990 Act*

- (d) annual statements of its Qualifying Revenue in respect of each entire accounting period of the Corporation in such form as Ofcom shall require; and

### *Section 4(a)(c) of the 1990 Act*

- (e) a copy of the Corporation's annual report and accounts as soon as possible after these have been transmitted to the Secretary of State pursuant to paragraph 13 of Schedule 3 to the 1990 Act.

- (2) Without prejudice to the generality of Condition 22(1) above, the Corporation shall notify Ofcom in writing:
- (a) of any change in the chief executive and other ex officio members of the Corporation holding office pursuant to Section 23(5) of the 1990 Act within 28 days of the occurrence of any such change; and
  - (b) if the Corporation becomes aware that any member of the Corporation has a financial or other interest which is likely to affect prejudicially the discharge by it of its functions as a member of the Corporation, and it will procure that each member of the Corporation declares to the Corporation any such interest which it may have forthwith.

### **23. Notifications to Ofcom**

#### *Section 5(5) of the 1990 Act*

- (1) The Corporation shall inform Ofcom forthwith in writing if:
- (a) the Corporation becomes aware that any order is made or any resolution is passed or other action is taken for the dissolution, termination of existence, liquidation (whether compulsory or voluntary), or winding up of the Corporation (otherwise than for the purpose of reconstruction or amalgamation made whilst the Corporation is solvent and previously approved in writing by Ofcom) or a liquidator, trustee, receiver, administrative receiver, administrator, manager or similar officer is appointed in respect of the Corporation, or in respect of all or any part of its assets; or
  - (b) the Corporation makes or proposes to enter into any scheme of compromise or arrangement with its creditors, save for the purposes of amalgamation or reconstruction whilst the Corporation is solvent; or
  - (c) the Corporation permits an execution to be levied against its assets and/or chattels and allows such execution to remain outstanding for more than 14 days; or
  - (d) anything analogous to or having a substantially similar effect to any of the events specified in Conditions 23(3)(a) to (c) above occurs under the laws of any applicable jurisdiction

#### *Sections 4(1)(c) of the 1990 Act*

- (2) The Corporation shall inform Ofcom when final judgment is awarded against it in any court proceedings brought against it in respect of the inclusion in the Channel 4 Service of any defamatory, seditious, blasphemous or obscene matter or any matter which constitutes an injurious falsehood or slander of title or any tort or an infringement of any copyright, moral

right, right in a performance, design right, registered design, service mark trademark, letters patent or other similar monopoly right or a contravention of the provisions of the Official Secret Acts or of any statutory enactment or regulation for the time being in force or a criminal offence or contempt of Court or breach of Parliamentary privilege.

*Article 1(3)(b) of the Audiovisual Media Services Directive*

- (3) The Corporation shall notify Ofcom of any change that may affect the criteria under which the Channel 4 Service falls under the jurisdiction of the UK as soon as reasonably practicable.

#### **24. Renewal of the Licence**

*Section 231(7) of the Communications Act*

Ofcom may renew the Licence on one or more occasions for such period as it may think fit in relation to the occasion in question.

#### **25. Fair and Effective Competition**

*Section 316 of the Communications Act*

- (1) The Corporation shall:
- (a) not enter into or maintain any arrangement, or engage in any practice, which is prejudicial to fair and effective competition in the provision of licensed services or of connected services; and
  - (b) comply with any code or guidance for the time being approved by Ofcom for the purpose of ensuring fair and effective competition in the provision of licensed services or of connected services; and
  - (c) comply with any direction given by Ofcom to the Corporation for that purpose.
- (2) In this Condition 25 “**connected services**” and “**licensed service**” have the meanings given to them in Section 316(4) of the Communications Act.

#### **26. Restrictions on the holding of licences**

The Corporation shall ensure that it does not become a disqualified person in relation to the Licence and shall comply in all respects with the restrictions or requirements imposed on or in relation to it as the holder of the Licence by or under Schedule 2 to the 1990 Act.

## **27. Compliance**

*Sections 4(1)(a) and 4(2) of the 1990 Act and Sections 335 and 336 of the Communications Act*

- (1) The Corporation shall comply with any direction given to it by Ofcom in respect of any matter, subject or thing which direction is in the opinion of Ofcom appropriate, having regard to any duties which are or may be imposed on it, or on the Corporation by or under the 1990 Act, the 1996 Act, the Communications Act or any Relevant International Obligations and all relevant codes and guidance. .

*Section 4(1)(a), (c) and (d) of the 1990 Act and Sections 321(4), 325(1) and 335 of the Communications Act and Article 10 of the European Convention on Transfrontier Television*

- (2) The Corporation shall adopt procedures and ensure that such procedures are observed by those involved in providing the Channel 4 Service for the purposes of ensuring that Programmes included in the Channel 4 Service comply in all respects with the provisions of this Licence, the 1990 Act, the 1996 Act, the Communications Act, Relevant International Obligations and all relevant codes and guidance. The Corporation shall, without prejudice to the generality of the foregoing, ensure that:

- (a) there are sufficient persons involved in providing the Channel 4 Service who are adequately versed in the requirements of this Licence, the 1990 Act, the 1996 Act, the Communications Act, Relevant International Obligations and all relevant codes and guidance and that such persons are able to ensure compliance with such requirements on a day to day basis;
- (b) adequate arrangements exist for the immediate implementation of such general and specific directions as may from time to time be given to the Corporation by Ofcom;
- (c) if Condition 14B applies, the requirements of the European Convention on Transfrontier Television are complied with where practicable, having regard to the provisions set out in Article 10 of the Treaty and any guidance issued and from time to time revised by Ofcom for the purpose of giving effect to those provisions;

*Articles 16, 17 and 18 of the Audiovisual Media Services Directive and Section 336 of the Communications Act*

- (d) the quotas set out in Articles 16(1) and (2), 17 and 18 of the Audiovisual Media Services Directive are complied with where practicable;
- (e) adequate arrangements exist for the advance clearance of advertisements of such types and for such products as Ofcom shall determine;

- (f) that in each department of the Corporation where any of the procedures referred to in this Condition are to be implemented the member of staff responsible is of sufficient seniority to ensure immediate action and that issues relating to compliance may be brought where necessary directly before senior management for consideration.
- (3) The Corporation shall supply Ofcom with details of the procedures (and of any revision of such procedures) adopted by it and required to be observed by those involved in providing the Channel 4 Service for the purposes of Condition 27(2) above.

*Section 335(4) of the Communications Act*

- (4) For the purposes of this Condition 27 and Section 335 of the Communications Act, all Conditions of this Licence that are included by virtue of Part 3, Chapter 4 (Regulatory provisions) of the Communications Act are in addition to, and have effect subject to, any Conditions included by virtue of Section 335 of the Communications Act (Conditions securing compliance with international obligations).

*Section 4(1)(c) of the 1990 Act*

- (5) The Corporation shall supply to Ofcom post-transmission data in relation to all Programmes included in the Channel 4 Service covering such information and in such form as Ofcom shall specify, to be delivered to Ofcom as soon after the transmission of the Programmes to which they relate as Ofcom may require.

*Section 4(1)(c) of the 1990 Act*

- (6) The Corporation shall supply to Ofcom such technical performance data as Ofcom shall from time to time require, and at such intervals and in such form as Ofcom shall specify.

*Section 4(1)(d) of the 1990 Act*

- (7) The Corporation if so requested by Ofcom shall at such intervals and at such times as Ofcom shall require attend meetings with Ofcom for the purpose of enabling Ofcom to conduct periodic reviews of the performance by the Corporation of its obligations under the Licence.

**28. Government Directions and Representations**

*Sections 335 and 336 of the Communications Act*

- (1) The Corporation shall if so directed by Ofcom:

- (a) include in the Channel 4 Service, at such times as may be specified to Ofcom by the Secretary of State or any other Minister of the Crown, such announcement as may be specified by a notice given pursuant to Section 336(1) of the Communications Act; or
  - (b) refrain from including in the Programmes included in the Channel 4 Service any matter or description of matter specified to Ofcom by the Secretary of State by a notice given pursuant to Section 336(5) of the Communications Act.
- (2) The Corporation may when including an announcement in the Channel 4 Service in accordance with Condition 28(1)(a) above indicate that the announcement is made in pursuance of a direction by Ofcom.
- (3) The Corporation shall comply with all relevant Conditions of this Licence and any directions given to it by Ofcom pursuant to a notification to Ofcom by the Secretary of State for the purpose of enabling Her Majesty's Government in the United Kingdom to give effect to any International Obligations of the United Kingdom.
- (4) Where Ofcom:
  - (a) has given the Corporation a direction to the effect referred to in Condition 28(1)(b) above; or
  - (b) in consequence of the revocation by the Secretary of State of the notice giving rise to the issuing of such a direction, has revoked that direction or where such a notice has expired,

the Corporation may include in the Channel 4 Service an announcement of the giving or revocation of the direction or of the expiration of the notice, as the case may be.

## **29. Standards Complaints**

*Sections 325(1)(b) and 328(1) of the Communications Act*

- (1) The Corporation shall ensure that procedures acceptable to Ofcom for the handling and resolution of Standards Complaints in respect of programmes included in the Channel 4 Service are established and maintained and shall ensure that such procedures are duly observed.
- (2) The Corporation shall for a period of at least 12 months keep a written record of any complaints referred to in Condition 29(1) above and a written record of any response given by the Corporation in relation to any such complaint and shall make such records available to Ofcom at such times as Ofcom may reasonably require.

### **30. Fairness and Privacy Complaints**

*Sections 115 and 119 of the 1996 Act (see also Section 327 of the Communications Act)*

- (1) The Corporation shall comply with such directions and requests for information as may be given to it by Ofcom following receipt by it from Ofcom of a copy of a Fairness Complaint that relates to the provision of the Channel 4 Service, and in particular the Corporation shall, if so requested:
- (a) provide Ofcom with a recording in sound and vision of the Programme, or any specified part of it, to which the complaint relates if and so far as such a recording is in its possession;
  - (b) make suitable arrangements for enabling the complainant to view any such recording, or any specified part of it, to which the complaint relates if and so far as such a recording is in its possession;
  - (c) provide Ofcom and the complainant with a transcript of so much of the programme, or any specified part of it, to which the complaint relates, as consisted of speech, if and so far as the Corporation is able to do so;
  - (d) provide Ofcom and the complainant with copies of any documents in the possession of the Corporation that are originals or copies of any correspondence between the Corporation and the person affected or the complainant in connection with the complaint;
  - (e) provide Ofcom with such other things that Ofcom may specify or describe and that appear to Ofcom to be relevant to its consideration of the complaint and to be in the possession of the Corporation;
  - (f) furnish to Ofcom and the complainant a written statement in answer to the complainant;
  - (g) attend Ofcom and assist it in its consideration of the complaint;
  - (h) take such steps as the Corporation reasonably can to ensure compliance with any request made by Ofcom to any other person under Section 115(7) of the 1996 Act.

*Sections 119 and 120 of the 1996 Act (see also Section 327 of the Communications Act)*

- (2) The Corporation shall comply with such directions as may be given to it by Ofcom to publish, in such manner, and within such period as may be specified by Ofcom, in any direction given

pursuant to Section 119(1) of the 1996 Act, a summary of any Fairness Complaint with regard to a Programme included in the Channel 4 Service, together with Ofcom's findings on the Fairness Complaint or a summary of such findings. The form and content of any such summary shall be such as may be approved by Ofcom.

- (3) References in Condition 30(2) to the publication of any matter shall be references to the publication of that matter without its being accompanied by any observations made by a person other than Ofcom and relating to the fairness complaint.
- (4) Where Ofcom has given a direction under Section 119(1) in relation to a Fairness Complaint and either the Corporation and/or any other person responsible for the making or the provision of the relevant Programme has or have taken any supplementary action (interpreted in accordance with Section 120(5) of the 1996 Act) the Corporation shall promptly send to Ofcom a report of that action.

*Section 326 of the Communications Act*

- (5) The Corporation shall ensure that the provisions of the Fairness Code are observed in the provision of the Channel 4 Service and in relation to the Programmes included in the Channel 4 Service.

**31. Publicising Ofcom's Functions**

*Section 328 of the Communications Act*

The Corporation shall comply with such directions as may be given to it by Ofcom to secure that:

- (a) the procedures which are established and maintained for handling and resolving complaints about the observance of standards as set out in Section 319 of the Communications Act; and
- (b) Ofcom's functions under Part V of the 1996 Act in relation to the Channel 4 Service,

are brought to the attention of the public (whether by means of broadcasts or otherwise).

**32. Power of Ofcom to Vary Licence Conditions**

*Section 3(4) of the 1990 Act*

Ofcom may by a notice served on the Corporation vary the Licence in any respect provided that the Corporation has been given a reasonable opportunity to make representations to Ofcom concerning the proposed variation.

### **33. Notices and service**

#### *Section 394 of the Communications Act*

- (1) Any notification or document (as defined in Section 394(9) of the Communications Act) to be served, given or sent under or in relation to this Licence may be delivered to the party to be served or sent by first class post to it at its proper address (as defined in Section 394(7) of the Communications Act) or left at that address.
- (2) Any such notification or document shall be deemed to have been served:
  - (a) if so delivered or left, at the time of delivery or leaving; or
  - (b) if so posted, at 10.00 a.m. on the second business day after it was put into the post.
- (3) In proving such service it shall be sufficient to prove that delivery was made or that the envelope containing such notification or document was properly addressed and posted as a prepaid first class letter or was left at the proper address, as the case may be.

#### *Section 395 of the Communications Act*

- (4) Notices and documents may also be served or given by Ofcom on or to the Corporation and by the Corporation on or to Ofcom in electronic form subject to the requirements set out in Sections 395 and 396 of the Communications Act.

### **34. Equal Opportunities and Training**

#### *Section 337 of the Communications Act*

- (1) The Corporation shall make and from time to time shall review arrangements for:
  - (a) promoting, in relation to employment with the Corporation:
    - (i) equality of opportunity between men and women and between persons of different racial groups; and
    - (ii) the equalisation of opportunities for disabled persons; and
  - (b) training and retraining persons whom it employs in or in connection with the provision of the Channel 4 Service or the making of Programmes for inclusion in the Channel 4 Service.

- (2) The Corporation shall take appropriate steps to make those affected by the arrangements to be made in accordance with Condition 34(1) aware of them including publishing the arrangements in such manner as Ofcom may require.
- (3) In particular (but without limiting the generality of the foregoing), the Corporation shall from time to time (and at least annually) publish, in such manner as it considers appropriate, its observations on the current operation and effectiveness of the arrangements required by virtue of this Condition.
- (4) The Corporation shall, in making and reviewing the arrangements made in accordance with Condition 34(1), have regard to any relevant guidance published by Ofcom as revised from time to time.
- (5) This Condition 34 shall apply if the requirements of Sections 337(7) and (8) of the Communications Act are satisfied in the case of the Channel 4 Service.
- (6) Ofcom will treat the Corporation's obligations under Conditions 34(1) to (5) above as discharged where a member of a group of companies to which the Corporation belongs has discharged those obligations in relation to employment with the Corporation.

#### ***34A. 700MHz DTT Clearance Programme***

The Corporation shall comply with, or procure compliance with the 700MHz DTT Clearance Programme requirements set out in Annex: Part 3.

## PART 3: EXCEPTIONS AND LIMITATIONS ON CORPORATION'S OBLIGATIONS

### **35. Force Majeure**

*Section 4(1)(d) of the 1990 Act*

The Corporation shall not be in any way responsible for any failure to comply with any Conditions of this Licence directly or indirectly caused by or arising from any circumstances beyond the reasonable control of the Corporation including (without limitation) war, damage by the Queen's enemies, terrorism, riot, rebellion, civil commotion, interference by strike, lockout, sit-in, picket or other industrial dispute or action.

## PART 4: CONDITIONS RELATING TO ENFORCEMENT OF THE LICENCE

### **36. Sanctions for Breach of Condition**

*Section 40 of the 1990 Act (see also Section 344 of the Communications Act)*

- (1)
- (a) If Ofcom is satisfied that the Corporation has failed to comply with any Condition of the Licence and that failure can be appropriately remedied by the inclusion in the Channel 4 Service of a correction or a statement of findings (or both) and Ofcom has given the Corporation a reasonable opportunity to make representations to it about the matters complained of, Ofcom may direct the Corporation to include in the Channel 4 Service a correction or statement of findings (or both) in such form, and at such time or times as Ofcom may determine.
  - (b) The Corporation may, when including a correction or statement of findings (or both) in the Channel 4 Service in pursuance of a direction from Ofcom, announce that it is doing so in pursuance of such a direction.
- (2) The Corporation shall comply with any direction from Ofcom not to include in the Channel 4 Service on any future occasion any Programme whose inclusion in the Channel 4 Service Ofcom is satisfied has involved a failure by the Corporation to comply with any Condition of this Licence.

*Section 41 of the 1990 Act (see also paragraph 3 of Part 1 of Schedule 13 to the Communications Act)*

- (3)
- (a) If Ofcom is satisfied that the Corporation has failed to comply with a Condition of the Licence or has failed to comply with any direction given by Ofcom under the Licence and it has given it a reasonable opportunity of making representations to it about the matters complained of, it may serve on the Corporation a notice requiring it to pay to Ofcom, within a specified period, a specified financial penalty.
  - (b) The amount of any financial penalty imposed pursuant to Condition 36(3)(a) shall not exceed five per cent. of the Corporation's Qualifying Revenue for its last complete accounting period (as determined in accordance with Section 19(2) to (6) of the 1990 Act and Part 1 of Schedule 7 to that Act) falling within the period for which the Corporation's licence has been in force (the "**relevant period**").
  - (c) Where any such penalty is imposed when the Corporation's first complete accounting period falling within the relevant period has not yet ended when the

penalty is imposed, such financial penalty shall not exceed five per cent. of the amount which Ofcom estimates to be the Corporation's Qualifying Revenue for that accounting period.

*Section 102 of the 1996 Act*

(4)

(a) If Ofcom:

- (i) is satisfied that the Corporation has failed to comply with Condition 17(2) or Condition 17(6); and
- (ii) is not satisfied that in all the circumstances it would be unreasonable to expect the Corporation to have complied with that Condition,

it may serve on the Corporation a notice requiring it to pay to Ofcom, within a specified period, a specified financial penalty.

(b) If Ofcom is satisfied that, in connection with an application for consent under Condition 17(2) or Condition 17(6), the Corporation:

- (i) has provided Ofcom with information which is false in a material particular, or
- (ii) has withheld any material information with the intention of causing Ofcom to be misled,

it may serve on the Corporation a notice requiring it to pay to Ofcom, within a specified period, a specified financial penalty.

(c) The amount of any financial penalty imposed pursuant to Condition 36(4)(a) or Condition 36(4)(b) shall not exceed the amount produced by multiplying the relevant consideration by the prescribed multiplier.

(d) For the purpose of Condition 36(4)(c):

- (i) the “**relevant consideration**” means an amount determined by Ofcom as representing so much of any consideration paid by the Corporation as is attributable to the acquisition of the rights to televise the event in question; and

- (ii) the “**prescribed multiplier**” means such number as the Secretary of State may from time to time by order prescribe under Section 102(4)(b) of the 1996 Act.
- (e) Where any such financial penalty is imposed pursuant to Condition 36(4), Ofcom shall not impose a further financial penalty under Condition 36(3) in respect of the same circumstances.
- (5) Any exercise by Ofcom of its powers under Condition 36(3) or 36(4) shall be without prejudice to Ofcom’s powers pursuant to Condition 36(1) and 36(2).
- (6) Prior to exercising its powers under Condition 36(4) in respect of a failure to comply with Condition 17(6), Ofcom shall consult such persons (who may include competent authorities in other EEA States) as appear to Ofcom to be appropriate.

## ANNEX: The Channel 4 Service

### ANNEX PART 1: Requirements for the provision and content of the Channel 4 Service

#### **1. Definitions and Interpretation**

In the following paragraphs unless the context otherwise requires:

**“hours/minutes”** refers to the number of hours/minutes per calendar year or per week averaged over a calendar year that would be broadcast, measured in **“slot times”** (that is, including advertising breaks, Programme trailers and presentation material during and at the end of Programmes) except for material under 10 minutes in length which is measured in **“running times”** (that is, excluding advertising breaks, Programme trailers and presentation material).

#### **2. News**

- (a) News Programmes shall be provided at intervals throughout the period for which the Channel 4 Service is provided, with at least one Programme at lunchtimes each weekday and one in the early evening each weekday and a Programme in the early evening at weekends on both Saturday and Sunday.
- (b) Not less than 208 hours in each calendar year of the Licensing Period of news Programmes in peak viewing time shall be included in the Channel 4 Service. Such news Programmes shall be of high quality and deal with both national and international matters. Coverage shall be accurate, impartial, authoritative and comprehensive, in terms both of geography and subject matter. Live coverage of important, fast-moving events shall be provided, with news flashes outside regular bulletins as appropriate.

#### **3. Current Affairs**

The Corporation shall ensure that there are not less than 208 hours in each calendar year of the Licensing Period of current affairs Programmes included in the Channel 4 Service which are of high quality and deal with both national and international matters, of which 80 hours shall be in Peak Viewing Time.

#### **4. Schools**

The Corporation shall transmit at least half an hour of Schools Programmes, excluding presentation material, in each calendar year of the Licensing Period. These Programmes need not be broadcast in term time or within normal school hours.

#### **5. Original productions**

At least 56 per cent of the hours of Programmes included in the Channel 4 Service in each calendar year shall be originally produced or commissioned for the Channel 4 Service and at least 70 per cent

of the hours of Programmes in peak viewing time shall be originally produced or commissioned for the service.

#### **6. Regional production**

- (a) The Corporation shall ensure that in each calendar year at least 35 per cent of the hours of Programmes made in the UK for viewing on the Channel 4 Service shall be produced outside the M25.
- (b) The Corporation shall ensure that in any calendar year at least 35 per cent of its expenditure on Programmes made in the UK for viewing on the Channel 4 Service shall be allocated to the production of Programmes produced outside the M25 and must be referable to Programme production at a range of production centres.
- (c) Until 31 December 2019, the Corporation shall ensure that in any calendar year at least 3 per cent of the hours of Programmes made in the UK for viewing on the Channel 4 Service shall be produced outside England.
- (d) Until 31 December 2019, the Corporation shall ensure that in any calendar year at least 3 per cent of its expenditure on Programmes made in the UK for viewing on the Channel 4 Service shall be allocated to the production of Programmes outside England.
- (e) With effect from 1 January 2020 the Corporation shall ensure that in any calendar year at least 9 per cent of the hours of Programmes made in the UK for viewing on the Channel 4 Service are produced outside England.
- (f) With effect from 1 January 2020 the Corporation shall ensure that in any calendar year at least 9 per cent of its expenditure on Programmes made in the UK for viewing on the Channel 4 Service is allocated to the production of Programmes outside England and referable to Programme production at production centres in Scotland, Wales and Northern Ireland.

#### **7. Independent production**

In each calendar year not less than 25 per cent (or such other percentage which the Secretary of State may from time to time by order pursuant to Section 277(3) of the Communications Act specify) of the total amount of time allocated to the broadcasting of Qualifying Programmes in the Channel 4 Service shall be allocated to the broadcasting of a range and diversity of Independent Productions. For these purposes, the reference to a range of Independent Productions shall be interpreted in accordance with Section 277(2)(c) of the Communications Act and must include a range in terms of the cost and types of Programme.

## **8. Subtitling, Sign Language and Audio Description**

In relation to Programmes included in the Channel 4 Service that are not excluded Programmes at least 90 per cent of Programme hours in the Channel 4 Service must be subtitled; at least 10 per cent of Programme hours must be audio described; and at least 5 per cent of Programme hours must have sign language. The Corporation must achieve such interim targets for subtitling, sign language and audio description as are notified to it in writing by Ofcom or set out in the Ofcom Code on Subtitling, Sign Language and Audio Description. In this paragraph “**excluded Programmes**” shall be interpreted in accordance with Section 303(6) of the Communications Act; and “**Programme**” does not include an advertisement and “**Programme hours**” shall be interpreted accordingly

## ANNEX PART 2: Details of digital terrestrial broadcasting stations - main stations and dependent relays

### **BORDERS**

#### **CALDBECK**

Ainstable  
Bassenthwaite  
Bleach Green HP  
Bleach Green VP  
Crosby Ravensworth  
Dentdale  
Eskdale Green  
Glenridding  
Glenridding Link  
Gosforth  
Greystoke  
Haltwhistle  
Keswick  
Kirkby Stephen  
Lorton  
Lowther Valley  
Orton  
Pooley Bridge  
Ravenstonedale  
St Bees  
Threlkeld  
Whitehaven  
Workington

#### **CALDBECK SCOTLAND**

Ballantrae  
Barskeoch Hill  
Cambret Hill  
Creetown  
Dumfries South  
Glenluce  
Kirkcudbright  
Langholm  
Minnigaff  
Moffat  
New Galloway  
Pinwherry

Portpatrick  
Stranraer  
Thornhill

**KENDAL**

Coniston  
Crosthwaite  
Grasmere  
Hawkshead  
Kendal Fell  
Millthrop  
Sedbergh  
Windermere

**SELKIRK**

Bonchester Bridge  
Clovenfords  
Eyemouth  
Galashiels  
Hawick  
Innerleithen  
Jedburgh  
Lauder  
Peebles  
Stow  
Yetholm

**WESTCOUNTRY**

Table A: Plymouth

**BEACON HILL**

Ashburton  
Bovey Tracey  
Brixham  
Buckfastleigh  
Chudleigh  
Clennon Valley  
Coombe  
Dartmouth  
Edginswell  
Halwell  
Harbertonford

Hele  
Kingskerswell  
Liverton  
Newton Abbot HP  
Newton Abbot VP  
Ocombe Valley  
Sidmouth  
South Brent HP  
South Brent VP  
Teignmouth  
Torquay Town  
Totnes

**CARADON HILL**

Aveton Gifford  
Compton  
Croyde  
Downderry  
Fowey  
Gunnislake  
Ivybridge  
Kingsbridge  
Looe  
Lostwithiel  
Marystow  
Mevagissey  
Modbury  
Newton Ferrers  
North Hessary Tor  
Okehampton  
Penaligon Down  
Plymouth North Rd HP  
Plymouth North Rd VP  
Plymouth Weston Mill  
Plympton  
Polperro  
Port Isaac  
Salcombe  
Slapton  
Southway  
St Neot  
Tavistock  
Widcombe In The Moor

Table B: Barnstaple Region

**HUNTSYAW CROSS**

Barnstaple  
Berrynarbor  
Braunton  
Chambercombe  
Combe Martin  
Great Torrington  
Hartland  
Ilfracombe  
Muddiford  
North Bovey  
Swimbridge  
Tedburn St Mary  
Westward Ho  
Woolacombe

Table C: Truro Region

**REDRUTH**

Alverton  
Boscastle  
Bossiney  
Gulval  
Helston  
Isles Of Scilly  
Penryn  
Perranporth  
Porthleven  
Porthtowan  
Portreath  
Praa Sands  
St Anthony  
St Austell  
St Just  
Truro

Table D: Exeter

**STOCKLAND HILL**

Bampton  
Beaminster

Beer  
Bincombe Hill  
Branscombe  
Bridport  
Brushford  
Budleigh Salterton  
Chagford  
Charmouth  
Chideock HP  
Chideock VP  
Crediton  
Culm Valley  
Dawlish  
Dunsford  
Exeter St Thomas  
Honiton  
Pennsylvania  
Preston  
Rampisham UHF  
Stokeinteignhead  
Tiverton  
Weymouth

## **WEST OF ENGLAND**

### **MENDIP**

Avening  
Backwell  
Bath  
Blakeney  
Box  
Bristol Barton House  
Bristol Ilchester Crescent  
Bristol Kings Weston  
Bristol Montpelier  
Bristol Warmley  
Bruton  
Burrington  
Calne  
Carhampton  
Cerne Abbas  
Chalford  
Chalford Vale

Chilfrome  
Chiseldon  
Chitterne  
Cirencester  
Clearwell  
Coleford  
Corsham HP  
Corsham VP  
Countisbury  
Crewkerne  
Crockerton  
Dursley  
Easter Compton  
Exford  
Frome  
Hutton  
Kewstoke  
Kilve  
Lydbrook  
Marlborough  
Monksilver  
Nailsworth  
Ogbourne St George  
Parkend  
Pillowell HP  
Pillowell VP  
Porlock  
Portbury  
Portishead  
Redbrook  
Redcliff Bay  
Roadwater  
Seagry Court  
Siston  
Slad  
Stroud  
Tintern  
Ubley  
Upavon  
Washford  
West Lavington  
Westwood  
Woodcombe

Wootton Courtenay

**NORTH WEST ENGLAND**

**WINTER HILL**

Austwick  
Backbarrow  
Bacup  
Barrow Town Hall  
Birch Vale  
Blackburn  
Bollington  
Brinscall  
Broadbottom  
Brook Bottom  
Burbage  
Buxton  
Cartmel  
Chaigley  
Chatburn  
Chinley  
Congleton  
Dalton  
Darwen  
Delph  
Dog Hill  
Elton  
Far Highfield  
Glossop  
Haslingden  
Haughton Green  
Ladder Hill  
Lancaster  
Langley  
Lees  
Littleborough  
Macclesfield  
Manchester Hulme  
Melling HP  
Melling VP  
Middleton  
Millom Park  
Moss Bank

Mottram In Longdendale  
Newchurch  
Norden  
North Oldham  
Oakenhead  
Over Biddulph  
Parbold  
Pendle Forest  
Penny Bridge  
Portwood  
Prestbury  
Ramsbottom  
Ribblesdale  
Romiley  
Roose HP  
Roose VP  
Saddleworth  
Skelmersdale  
Stavely in Cartmel  
Stockport  
Storeton  
Sunningdale  
Trawden  
Urswick  
Walton Le Dale  
Wardle  
West Kirby  
Whaley Bridge  
Whalley  
Whitewell  
Whitworth  
Woodnook

**DOUGLAS**

Beary Park  
Foxdale  
Glenmaye  
Jurby  
Kimmeragh  
Laxey  
Port St Mary  
Ramsey  
Union Mills

## **NORTH SCOTLAND**

### **ANGUS**

Auchtermuchty  
Balmullo  
Balnaguard  
Blair Atholl  
Carie  
Crieff  
Cupar  
Dundee Menzieshill  
Dunkeld  
Dunkeld Town  
Grandtully  
Kenmore  
Killin HP  
Killin VP  
Lindores  
Lochearnhead  
Methven  
Perth  
Pitlochry  
St Fillans  
Strathallan  
Tay Bridge  
Tummel Bridge

### **BRESSAY**

Baltasound  
Collafirth Hill  
Fetlar  
Fitful Head  
Scalloway  
Swinster  
Voe  
Weisdale

### **DURRIS**

Balgownie  
Banff  
Boddam  
Braemar  
Brechin

Ellon  
Gartley Moor  
Gourdon  
Lumphanan  
Peterhead  
Rosehearty  
Tomintoul  
Tullich

**EITSHAL**

Badachro  
Kinlochbervie HP  
Kinlochbervie VP  
Lochinver  
Ness Of Lewis  
Poolewe  
Staffin  
Ullapool

**KEELYLANG HILL**

Burgar Hill HP  
Burgar Hill VP  
Pierowall

**KNOCKMORE**

Aviemore  
Avoch  
Balblair Wood  
Craigellachie  
Grantown  
Kingussie  
Lairg

**ROSEMARKIE**

Auchmore Wood  
Cromarty  
Fodderty  
Fort Augustus  
Glen Convinth  
Glen Urquhart HP  
Glen Urquhart VP  
Inverness  
Tomatin

Tomich  
Tomich Link  
Wester Erchite

#### **RUMSTER FOREST**

Ben Tongue  
Durness  
Melvich  
Thurso

#### **SKRIAIG**

Ardintoul  
Attadale  
Borve  
Bruernish  
Clettraval  
Daliburgh  
Duncraig  
Inverarish  
Kilbride South Uist  
Kylarhea  
Lochmaddy HP  
Lochmaddy VP  
Penifiler  
Scoval HP  
Scoval VP  
Tarbert Harris  
Uig

#### **CHANNEL ISLANDS**

##### **FREMONT POINT**

Alderney  
Gorey  
Les Touillets  
St Brelades Bay  
St Helier  
St Peter Port  
Torteval

## **EAST, WEST AND SOUTH MIDLANDS**

### **Table A: South Midlands**

#### **RIDGE HILL**

Ridge Hill West  
Andoversford  
Eardiston  
Ewyas Harold  
Garth Hill HP  
Garth Hill VP  
Hazler Hill  
Hereford  
Hope Under Dinmore  
Kington  
Knucklas  
Ludlow  
New Radnor  
Oakeley Mynd  
Peterchurch  
Presteigne  
Ross On Wye  
St Briavels  
Upper Soudley

### **Table B: West Midlands**

#### **SUTTON COLDFIELD**

Allesley Park  
Brailes  
Bretch Hill  
Bridgnorth  
Brierley Hill  
Cheadle  
Earl Sterndale  
Edgbaston  
Fenton  
Gib Heath  
Gravelly Hill  
Haden Hill  
Hamstead  
Harborne  
Hartington

Ipstones Edge  
Ironbridge  
Kenilworth  
Kidderminster  
Kinver  
Leamington Spa  
Leek  
Long Compton  
Malvern  
Oakamoor  
Perry Beeches  
Queslett  
Redditch  
Repton  
Rugeley  
Tenbury Wells  
Turves Green  
Whittingslow  
Winchcombe  
Winshill  
Woodford Halse

**THE WREKIN**

Bromsgrove  
Bucknell  
Clun  
Coalbrookdale  
Halesowen  
Lark Stoke

Table C: East Midlands

**WALTHAM**

Ambergate  
Ashbourne  
Ashford In The Water  
Belper  
Birchover  
Bolehill  
Darley Dale  
Derby  
Eastwood  
Leicester

Little Eaton  
Matlock  
Parwich  
Stamford  
Stanton Moor

## **NOTTINGHAM**

### **EAST OF ENGLAND**

#### **Table A: West**

## **SANDY HEATH**

Dallington Park  
Kimpton  
Luton

#### **Table B: East**

## **SUDBURY**

Burnham On Crouch  
Clacton  
Felixstowe  
Ipswich Stoke  
Rouncefall  
Somersham  
Wivenhoe Park  
Woodbridge

## **TACOLNESTON**

Aldeburgh  
Bramford  
Burnham  
Bury St Edmunds  
Creake  
Gorleston On Sea  
Great Yarmouth  
Kings Lynn  
Linnet Valley  
Little Walsingham  
Lowestoft  
Norwich Central  
Overstrand

Thetford  
Wells Next The Sea  
West Runton

**YORKSHIRE**

Table A: East

**BELMONT**

Grimsby  
Lincoln Central  
Weaverthorpe

Table B: Emley (West)

**EMLEY MOOR**

Addingham  
Armitage Bridge  
Batley  
Beecroft Hill  
Blackburn In Rotherham  
Bradford West  
Calver Peak  
Cleckheaton  
Conisbrough  
Cop Hill  
Copley  
Cornholme  
Cowling  
Cragg Vale  
Cullingworth  
Edale  
Elland  
Grassington  
Hagg Wood  
Halifax  
Headingley  
Hebden Bridge  
Heyshaw  
Holmfield  
Holmfirth  
Hope  
Hunmanby

Idle  
Keighley  
Keighley Town  
Kettlewell  
Longwood Edge  
Luddenden  
Lydgate  
Millhouse Green  
Olivers Mount  
Oughtibridge  
Oxenhope  
Primrose Hill  
Ripponden  
Shatton Edge  
Skipton  
Skipton Town  
Stocksbridge  
Sutton In Craven  
Tideswell Moor  
Todmorden  
Walsden  
Walsden South  
Wharfedale  
Wheatley  
Wincobank

Table C: South

Brockwell  
Chesterfield  
Dronfield  
Hasland  
Sheffield  
Totley Rise

**SOUTH & SOUTH-EAST OF ENGLAND**

Table A: West

**HANNINGTON**

Aldbourne  
Alton  
Chisbury

Hemdean HP  
Hemdean VP  
Hurstbourne Tarrant  
Lambourn  
The Bournes  
Tidworth

**OXFORD**

Ascott Under Wychwood  
Charlbury  
Guiting Power  
Icomb Hill  
Over Norton

Table B: South

**MIDHURST**

Haslemere  
Steyping

**ROWRIDGE**

Rowridge VP  
Bevendean  
Bovington  
Brading  
Brighstone  
Brighton Central  
Canford Heath  
Cheselbourne  
Coldean  
Corfe Castle  
Donhead  
Findon  
Hangleton  
Horndean  
Luccombe  
Lulworth  
Luscombe Valley  
Millbrook HP  
Millbrook VP  
Ovingdean HP  
Ovingdean VP  
Patcham

Piddletrenthide  
Poole  
Portslade  
Poulner  
Salisbury  
Saltdean  
Shrewton  
Singleton  
Sutton Row  
Till Valley  
Ventnor  
Westbourne  
Whitehawk Hill  
Winterborne Stickland  
Winterbourne Steepleton

Table C: South-East

**BLUEBELL HILL**

Chatham Town  
Farleigh

**DOVER**

Chartham  
Dover Town  
Elham  
Faversham  
Folkestone  
Horn Street  
Hythe  
Lydden  
Lyminge  
Margate  
Newnham  
Ramsgate  
Rye  
Turnpike Hill

**HEATHFIELD**

Bexhill UHF  
East Dean  
Eastbourne  
Eastbourne Old Town

Ham Street  
Hastings  
Hastings Old Town  
Haywards Heath  
Hollington Park  
Lamberhurst  
Lewes HP  
Lewes VP  
Mountfield  
Newhaven  
St Marks HP  
St Marks VP  
Sedlescombe  
Tunbridge Wells  
Wye

## **LONDON**

### **CRYSTAL PALACE**

Alexandra Palace  
Assendon  
Biggin Hill  
Biggin Hill Link  
Bishops Stortford  
Cane Hill  
Caterham  
Chepping Wycombe  
Chesham  
Chingford  
Croydon Old Town  
Dorking HP  
Dorking VP  
East Grinstead  
Edmonton  
Farningham  
Finchley  
Forest Row  
Gravesend  
Great Missenden  
Greenwich  
Guildford  
Hammersmith  
Hampstead Heath

Hemel Hempstead  
Hemel Hempstead Town  
Henley  
Hertford  
High Wycombe  
Hughenden  
Kenley  
Kensal Town  
Lea Bridge  
Marlow Bottom  
Micklefield  
Mickleham  
New Addington  
New Barnet  
Old Coulsdon  
Orpington  
Oxford  
Poplar  
Reigate  
St Albans  
Skirmett  
Sutton HP  
Sutton VP  
Walthamstow North  
Welwyn  
West Wycombe  
Wondersh  
Wooburn  
Woolwich  
Worlds End

**NORTH-EAST ENGLAND**

**Table A: Bilsdale Region**

**BILSDALE**

Aislaby  
Bainbridge  
Castleton  
Eston Nab  
Grinton Lodge  
Guisborough  
Limber Hill

Peterlee  
Ravenscar  
Romaldkirk  
Rookhope  
Rosedale Abbey  
Skinningrove  
West Burton  
Whitby Business Park

Table B: Pontop Pike and Chatton

**CHATTON**

Berwick  
Rothbury  
Wooler

**PONTOP PIKE**

Allenheads  
Alston  
Bellingham  
Blaydon Burn  
Byrness  
Catton Beacon  
Durham  
Esh  
Falstone  
Felling  
Fenham  
Haydon Bridge  
Hedleyhope  
Humshaugh  
Ireshopeburn  
Kielder  
Morpeth  
Newton  
Seaham  
Shotleyfield  
Staithes  
Sunderland  
Wall  
Weardale  
Whitaside

## **CENTRAL SCOTLAND**

### **BLACK HILL**

Abington  
Biggar  
Bridge Of Allan  
Broughton  
Callander  
Cathcart  
Clachan  
Cumbernauld Village  
Deanston  
Dollar  
Dunoon Forest Road  
Easdale  
Fintry  
Gigha Island  
Glasgow West Central  
Glespin  
Haddington  
Kelvindale  
Killearn  
Kilmacolm  
Kirkconnel  
Kirkfieldbank  
Largs  
Leadhills  
Millport  
Netherton Brae  
New Cumnock  
Ravenscraig HP  
Ravenscraig VP  
Rothesay  
Rothesay Town  
South Knapdale  
Strachur  
Strathblane  
Strathyre  
Strathyre Link  
Tarbert  
Tighnabrauaich  
Tillicoultry  
Twechar

Uplawmoor  
West Kilbride

**CRAIGKELLY**

Aberfoyle  
Cannongate HP  
Cannongate VP  
Grangemouth  
Kinross  
Newbattle  
Penicuik  
West Linton

**DARVEL**

Ardentiny  
Arrochar  
Ayr South  
Blackwaterfoot  
Bowmore HP  
Bowmore VP  
Campbeltown  
Carradale  
Catrine  
Claonaig  
Dunure  
Girvan  
High Keil  
Holmhead  
Kirkmichael  
Kirkoswald HP  
Kirkoswald VP  
Lethanhill  
Lochgoilhead  
Lochgoilhead AD  
Lochwinnoch  
Millburn Muir  
Muirkirk  
Port Ellen  
Portnahaven  
Sorn  
Troon  
Wanlockhead

**Rosneath VP**

Ardnadam

Garelochhead

Rosneath HP

**TOROSAY**

Acharacle

Arisaig

Ballachulish

Bellanoch

Castlebay

Cow Hill

Dalmally

Dychliemore Link

Fiunary

Glengorm

Kilmelford

Kinlochleven

Kintraw

Loch Feochan

Mallaig

Oban

Onich HP

Onich VP

Spean Bridge

Strontian

Taynuilt

Tayvallich

**NORTHERN IRELAND****BROUGH MOUNTAIN**

Belcoo

Derrygonnelly

Ederny

Lisbellaw

**DIVIS**

Armagh

Banbridge

Bangor

Bellair

Benagh

Black Mountain  
Camlough  
Carnmoney Hill  
Conlig  
Cushendall  
Cushendun  
Draperstown  
Dromore  
Glenariff  
Glynn  
Kilkeel  
Killowen Mountain  
Larne  
Leitrim  
Moneymore  
Newcastle  
Newry North  
Newry South  
Newtownards  
Rostrevor  
Whitehead

**LIMAVADY**

Ballintoy  
Ballycastle  
Buckna  
Bushmills  
Castleberg  
Claudy  
Glenelly Valley  
Gortnageeragh  
Gortnalee  
Londonderry  
Muldonagh  
Plumbridge  
Strabane

## ANNEX PART 3: Requirements Relating to the 700MHz DTT Clearance Programme

### ***Cooperation and Coordination with Other Parties***

The Licensee shall use reasonable endeavours to cooperate in all respects, including promptly and in good faith, with:

- (a) other Ofcom licensees (in particular the holder of the television Multiplex Licence which carries the Licensed Service/s), the BBC and S4C;
- (b) Government;
- (c) Digital UK; and
- (d) with such other parties, as necessary, or as notified to them by Ofcom, in the administration, organisation or implementation of the 700MHz DTT Clearance Programme.