

VARIATION NUMBER [X] DATED [DATE]

TO THE LICENCE GRANTED TO [LICENSEE] ("THE LICENSEE") TO PROVIDE NATIONAL DIGITAL SOUND PROGRAMME SERVICES UNDER PART II OF THE BROADCASTING ACT 1996 (AS AMENDED) AND DATED [DATE], AS AMENDED BY VARIATION NUMBER [LIST ALL VARIATIONS] ("THE LICENCE")

WHEREAS

- A. Ofcom has a number of duties in relation to digital switchover granted under the Communications Act 2003 (the "Act"), such as those contained in sections 3 and other relevant provisions of the Act;
- B. The Government in September 2005 set out the timetable for digital switchover in the UK;
- C. Ofcom proposes to vary the Licence accordingly and, in pursuance of Section 42(3) and (3B) of the Broadcasting Act 1996, the Licensee has been given a reasonable opportunity to make representations to Ofcom concerning the proposed variation.

NOW THEREFORE the Licence shall be varied in the following manner:

- 1. In **Condition 1. Definitions and interpretation**, by adding the following definition:

"Digital Switchover" means the cessation of broadcasting to any significant extent in analogue form of the television services as listed in Section 264(11) of the Communications Act from the transmission sites using the frequencies and transmission parameters set out in the Annexes to the Digital Replacement Licences, which in turn triggers duties related to digital switchover contained in the licence/s for the television multiplex service/s which carries/carry the Licensed Service;

- 2. By adding the following paragraph as a new Condition 30 to the Licence:

30. Digital Switchover

The Licensee shall comply with, or procure compliance with, the requirements set out in Annex B.

- 3. By adding the attached Annex B to the Licence.

This variation to the Licence shall come into force upon the execution of this document by Ofcom.

This document shall be construed as if it formed part of the Licence and shall be governed by English Law.

SIGNED FOR AND ON BEHALF OF OFCOM ON [DATE]

[name/position of signatory]

1. Cooperation and coordination with other parties

The Licensee shall use all 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);
- (b) Government;
- (c) Digital UK; and
- (d) with such other parties, as necessary, or as notified to him by Ofcom,

in the administration, organisation or implementation of Digital Switchover in the United Kingdom.

2. Communications with listeners

The Licensee shall use his reasonable endeavours to ensure that all listeners to the Licensed Service are adequately informed about:

- (a) changes in frequencies associated with Digital Switchover which necessitate a rescan of set top boxes and how such a rescan can be completed; and
- (b) any other listener actions required by Digital Switchover as appropriate which are notified to the Licensee by Ofcom.