

AGREEMENT TO AMEND THE CORE PROPOSALS DATED 29 SEPTEMBER 2009

TO LICENCE GRANTED TO BBC FREE TO VIEW LIMITED (“THE LICENSEE”) TO PROVIDE A MULTIPLEX SERVICE UNDER PART 1 OF THE BROADCASTING ACT 1996 (AS AMENDED) AND DATED 16 AUGUST 2002 AS VARIED BY VARIATION NUMBER 1 DATED 17 DECEMBER 2003, VARIATION NUMBER 2 DATED 9 NOVEMBER 2004, VARIATION NUMBER 3 DATED 1 APRIL 2005, VARIATION NUMBER 4 DATED 19 FEBRUARY 2007, VARIATION NUMBER 5 DATED 5 JULY 2007, VARIATION NUMBER 6 DATED 10 OCTOBER 2008, VARIATION NUMBER 7 DATED 20 MARCH 2009, VARIATION NUMBER 8 DATED 2 JUNE 2009, VARIATION NUMBER 10 DATED 5 AUGUST 2009 AND VARIATION NUMBER 11 DATED 8 SEPTEMBER 2009 (“THE LICENCE”)

WHEREAS

- A. The licensee submitted proposals as to the number and characteristics of digital programme services it intends to broadcast in its application for the Licence in response to Questions A.3 in the Attachment to Part III and the Letter from the Licensee to the Commission dated 19 June 2002 of the Invitation to Apply (the “Core Proposals”).
- B. This was amended on 9 October 2008 to allow the Licensee to broadcast Channel 5 as a digital programme service from the date of Digital Switchover in accordance with Table 2: Digital Switchover Sequence in Annex A: Part 9.
- C. The Licensee now wishes to cease broadcast of Channel 5 as a digital programme service in those regions where Digital Switchover has occurred in accordance with Table 2: Digital Switchover Sequence in Annex A: Part 9.
- D. Ofcom has considered this request and concluded it is appropriate to vary the Core Proposals as requested by the Licensee.
- E. The Licensee consents to the variation to the Licence.

NOW THEREFORE the Core Proposals shall be varied in the following manner:

- 1. By removing Channel 5 as a digital programme service to the list of channels carried by Multiplex B according to paragraph 4.1.8 in the Core Proposals for each region from the date of Digital Switchover in accordance with Table 2: Digital Switchover Sequence in Annex A: Part 9 of the Licence.
- 2. By removing the following entry to the table at paragraph 4.2 of the Core Proposals

Service	Hours Per Day	Days per week	Coverage Area
Channel 5	24	7	Region by region from the date of Digital Switchover in accordance with Table 2: Digital Switchover Sequence in Annex A: Part 9 of the Licence

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- 3. The variation to Core Proposals set out above shall come into force on the 30 September 2009.

MULTIPLEX B

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

SIGNED FOR OFCOM ON 29 SEPTEMBER 2009

Kathleen Stewart
Manager, Television Broadcast Licensing