



Media Act 2024

2024 CHAPTER 15

PROSPECTIVE

PART 1

PUBLIC SERVICE TELEVISION

The public service remit for television

1 Reports on the fulfilment of the public service remit

- (1) Section 264 of the Communications Act 2003 (OFCOM reports on the fulfilment of the public service remit) is amended as follows.
- (2) For subsections (3) to (8) (OFCOM's review and reporting obligations and the purposes of public service television broadcasting in the United Kingdom) substitute—
 - “(3) The review and reporting obligations for a period are—
 - (a) an obligation to carry out a review of the extent to which the public service remit for television in the United Kingdom has, during that period, been fulfilled by the public service broadcasters (taking them all together over the period as a whole); and
 - (b) an obligation, with a view to maintaining and strengthening the quality of the audiovisual content made available in order to fulfil the public service remit for television in the United Kingdom, to prepare a report on the matters found in the review.
- (4) The public service remit for television in the United Kingdom is fulfilled where the public service broadcasters (taken together) make available a broad range of audiovisual content—
 - (a) in a manner which, taking into account when and how their relevant audiovisual services are received or accessed, is likely to meet the

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needs and satisfy the interests of as many different audiences as practicable, and

- (b) which meets the needs and satisfies the interests of as many different available audiences as practicable as regards the nature of the audiovisual content made available and the subject-matters covered by it,

and that range of audiovisual content includes material satisfying the requirements in [subsection \(5\)](#) and itself satisfies the requirement in [subsection \(6\)](#).

(5) The requirements in this subsection are—

- (a) that the audiovisual content made available by the public service broadcasters (taken together) provides, to the extent that is appropriate for facilitating civic understanding and fair and well-informed debate on news and current affairs, a comprehensive and authoritative coverage of news and current affairs—
 - (i) in, and in the different parts of, the United Kingdom, and
 - (ii) from around the world;
- (b) that the audiovisual content made available by the public service broadcasters (taken together) comprises a public service for the dissemination of information and for the provision of education and entertainment, which includes what appears to OFCOM to be—
 - (i) a sufficient quantity of audiovisual content that reflects the lives and concerns of different communities and cultural interests and traditions within the United Kingdom, and locally in different parts of the United Kingdom, and
 - (ii) a sufficient quantity of audiovisual content that is in, or mainly in, a recognised regional or minority language;
- (c) that the audiovisual content made available by the public service broadcasters (taken together) includes an appropriate range and quantity of audiovisual content, contained in original productions, that—
 - (i) reflects the lives and concerns of children and young people in the United Kingdom,
 - (ii) is of an educational nature, and
 - (iii) helps them to understand the world around them; and
- (d) that the audiovisual content made available by the public service broadcasters (taken together) includes—
 - (i) an appropriate range of independent productions with an appropriate combined duration,
 - (ii) an appropriate range of original productions with an appropriate combined duration, and
 - (iii) so far as the audiovisual content consists of programmes made in the United Kingdom, an appropriate range of programmes made outside the M25 area with an appropriate combined duration.

(6) The requirement in this subsection is that the range of genres of audiovisual content made available by the public service broadcasters (taken together) constitutes an appropriate range of genres.

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- (7) Particular audiovisual content made available by a public service broadcaster is not to be taken into account for the purpose of determining the extent to which the public service remit for television in the United Kingdom is fulfilled unless the broadcaster has taken steps to ensure that the audiovisual content in question may be received or accessed in accordance with [subsection \(8\)](#) by so much of the broadcaster's intended audience as is reasonably practicable.
- (8) Audiovisual content may be received or accessed in accordance with this subsection if—
- (a) the audiovisual content, and
 - (b) the relevant audiovisual service by means of which the audiovisual content is provided,
- may be received or accessed in intelligible form and free of charge.
- (8A) Any requirement to pay sums in accordance with regulations under section 365 is to be disregarded for the purpose of determining whether audiovisual content may be received or accessed in accordance with [subsection \(8\)](#).
- (8B) Particular audiovisual content made available by a public service broadcaster by means of an on-demand programme service or a non-UK on-demand programme service is not to be taken into account for the purpose of determining the extent to which the public service remit for television in the United Kingdom is fulfilled unless the audiovisual content in question is available for a period of not less than 30 days beginning with the day on which that content is first made available for viewing.
- (8C) [Subsection \(8B\)](#) does not apply to news programmes or programmes containing coverage of sporting events that are made available by a public service broadcaster by means of an on-demand programme service or a non-UK on-demand programme service.
- (8D) The Secretary of State may by regulations amend [subsection \(8B\)](#) so as to substitute a different period for the period for the time being specified there.
- (8E) In carrying out a review under this section OFCOM must consider—
- (a) the costs to public service broadcasters of fulfilling the public service remit for television in the United Kingdom;
 - (b) the sources of income available to them for meeting those costs.
- (8F) Every report under this section must—
- (a) specify, and comment on, whatever changes appear to OFCOM to have occurred, during the period to which the report relates, in the extent to which the public service remit for television in the United Kingdom has been fulfilled;
 - (b) specify, and comment on, whatever changes appear to OFCOM to have occurred, during that period, in the manner in which that remit is fulfilled;
 - (c) set out the findings of OFCOM on their consideration of the matters mentioned in [subsection \(8E\)](#) and any conclusions they have arrived at in relation to those findings; and

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- (d) set out OFCOM’s conclusions on the current state of the audiovisual content made available by public service broadcasters in order to fulfil the public service remit for television in the United Kingdom.”

(3) After subsection (10) insert—

“(10A) Before making regulations under this section the Secretary of State must consult OFCOM.

(10B) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

(4) For subsection (11) substitute—

“(11) The following are relevant audiovisual services for the purposes of this section—

- (a) a television broadcasting service;
- (b) a television licensable content service;
- (c) a digital television programme service;
- (d) an on-demand programme service;
- (e) a non-UK on-demand programme service;
- (f) a service, other than a service referred to in any of paragraphs (a) to (e), which falls within [subsection \(11A\)](#).

(11A) A service falls within this subsection if it is a service, or a dissociable section of a service, which has the following characteristics—

- (a) its principal purpose is the provision of programmes,
- (b) the programmes which it provides are accessed by viewers by means of the internet,
- (c) there is a person who has general control over which programmes are comprised in the service or the dissociable section of the service (whether or not the person has control of the content of individual programmes or the distribution of the service), and
- (d) the service or the dissociable section of the service is available for use by members of the public in all or part of the United Kingdom.

(11B) The services that are to be taken for the purposes of [subsection \(11A\)\(d\)](#) to be available for use by members of the public include any service which—

- (a) is made available for use only to persons who subscribe to the service (whether for a period or in relation to a particular occasion) or who otherwise request its provision, but
- (b) is a service the facility of subscribing to which, or otherwise requesting its provision, is offered or made available to members of the public.”

(5) For subsection (13) substitute—

“(13) For the purposes of this section, audiovisual content is made available by a public service broadcaster if—

- (a) it is provided by means of a relevant audiovisual service provided by the broadcaster, or

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(b) it is provided by means of a relevant audiovisual service provided by another person, under arrangements made between the broadcaster and that other person.

(14) In the case of a service falling within [subsection \(11\)\(f\)](#), the person, and the only person, who is to be treated for the purposes of this section as providing the service is the person described in [subsection \(11A\)\(c\)](#); and section 362(3) applies in relation to such a service as it applies in relation to a service referred to in section 362(2).

(15) In this section, a reference to the provision of an on-demand programme service or a non-UK on-demand programme service is to be read in accordance with section 368R(5) and (6).

(16) In this section—

“audiovisual content” means the programmes, other than advertisements, included in a relevant audiovisual service;

“children” means persons under the age of 18;

“independent production”—

(a) in relation to the provider of a licensed public service channel, has the same meaning as in section 277;

(b) in relation to the BBC, has the same meaning as in paragraph 1 of Schedule 12;

(c) in relation to S4C, has the same meaning as in paragraph 7 of Schedule 12;

“intended audience” means—

(a) in relation to the provider of a Channel 3 service provided for an area of the United Kingdom, members of the public in that area;

(b) in relation to any other public service broadcaster, members of the public in the United Kingdom;

“original production”—

(a) in relation to the provider of a licensed public service channel, has the same meaning as in section 278;

(b) in relation to the BBC, has the meaning given by the BBC Charter and Agreement;

(c) in relation to S4C, has the same meaning as in paragraph 8 of Schedule 12;

“programme” means any programme (with or without sounds) which consists of moving or still images or of legible text or of a combination of those things;

“recognised regional or minority language” means Welsh, the Gaelic language as spoken in Scotland, Irish, Scots, Ulster Scots or Cornish.”

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II S. 1 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

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2 OFCOM reports: wider review and reporting obligations

- (1) Section 264A of the Communications Act 2003 (OFCEOM reports: wider review and reporting obligations) is amended as follows.
- (2) In subsection (1), for “public service objectives” substitute “public service requirements”.
- (3) In subsection (2)(b) and (c), for “objectives” substitute “requirements”.
- (4) For subsections (3) and (4) substitute—
 - “(3) “The public service requirements” are the requirements set out in paragraphs (a) to (d) of section 264(5), as modified by subsection (4).
 - (4) Section 264(5) has effect for the purposes of subsection (3) as if references to audiovisual content made available by the public service broadcasters, or to programmes included in that content, were references to material included in media services.”
- (5) In subsection (5), in the definition of “media services”, after paragraph (b) (and before the “and” following it) insert—
 - “(ba) non-UK on-demand programme services.”.

Commencement Information

- I2** S. 2 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

3 Public service remits of licensed providers

- (1) Section 265 of the Communications Act 2003 (licence conditions for a licensed public service channel to include fulfilling public service remits) is amended as follows.
- (2) For subsection (2) (public service remit for Channel 3 services and Channel 5) substitute—
 - “(2) The public service remit for every Channel 3 service and for Channel 5 is to make available a range of high quality and diverse audiovisual content—
 - (a) which is all capable of being taken into account for the purpose of determining the extent to which the public service remit for television in the United Kingdom is fulfilled (see section 264(7) to (8C)), and
 - (b) which, considered as a whole, constitutes an adequate contribution to the fulfilment of that remit.”
- (3) For subsection (3) (public service remit for Channel 4) substitute—
 - “(3) The public service remit for Channel 4 is to make available a broad range of high quality and diverse audiovisual content—
 - (a) which, in particular—
 - (i) demonstrates innovation, experiment and creativity in the form and content of programmes,
 - (ii) appeals to the tastes and interests of a culturally diverse society,

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- (iii) includes a significant quantity and range of programmes of an educational nature and other programmes of educative value, and
 - (iv) exhibits a distinctive character,
 - (b) which is all capable of being taken into account for the purpose of determining the extent to which the public service remit for television in the United Kingdom is fulfilled, and
 - (c) which, considered as a whole, constitutes an adequate contribution to the fulfilment of that remit.”
- (4) After subsection (5) insert—
- “(6) In this section, a reference to making available audiovisual content, in relation to a licensed public service channel, is a reference to the provider of that channel making available audiovisual content.
- (7) Section 264(13) applies for the purposes of this section as it applies for the purposes of section 264.”

Commencement Information

I3 S. 3 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

4 Statements of programme policy

- (1) Section 266 of the Communications Act 2003 (statements of programme policy for Channel 3 services, Channel 4 and Channel 5) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The condition must require such proposals—
- (a) to state whether two or more relevant audiovisual services (including the channel) are proposed to be used to fulfil the public service remit for the channel, and
 - (b) if so, to identify, in relation to each of the relevant audiovisual services, its proposed contribution to the fulfilment of the remit.”
- (3) In subsection (5), for “section 264(4) and (6)” substitute “section 264(4) to (6)”.

Commencement Information

I4 S. 4 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

5 Changes of programme policy

In section 267 of the Communications Act 2003 (changes of programme policy for Channel 3 services, Channel 4 and Channel 5), in subsection (4), for “which the channel would” substitute “which—

- (a) the channel, or
- (b) any other relevant audiovisual service which is being used to fulfil the public service remit for the channel,

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would”.

Commencement Information

I5 S. 5 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

6 Enforcement of public service remits

(1) Section 270 of the Communications Act 2003 (enforcement of public service remits) is amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a), after “failed” insert “, in any respect,”;
- (b) omit paragraph (b) and the “or” before it.

(3) In subsection (3), after paragraph (c) insert—

“(ca) the record of the provider as regards compliance with duties under Part 4A (on-demand programme services);”.

(4) After subsection (4) insert—

“(4A) Where the provider’s latest statement of programme policy states that one or more relevant audiovisual services other than the provider’s channel will be used to fulfil the public service remit for the channel, a direction given under this section may make provision with respect to that service or any of those services.”

(5) In subsection (6)(b), omit the words from “or adequately” to “Kingdom”.

(6) In subsection (7)(b), omit sub-paragraph (ii) and the “and” before it.

(7) After subsection (7) insert—

“(7A) Where the provider’s latest statement of programme policy states that one or more relevant audiovisual services other than the provider’s channel will be used to fulfil the public service remit for the channel, specific conditions inserted into the provider’s licence under subsection (7) may make provision with respect to that service or any of those services.”

Commencement Information

I6 S. 6 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

7 Power to amend public service remit for television in the United Kingdom

In section 271 of the Communications Act 2003 (power to amend the public service remits), in subsection (1)—

(a) for paragraph (b) substitute—

“(b) the public service remit for television in the United Kingdom (see section 264(4) to (8C)).”;

(b) omit paragraph (c).

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Commencement Information

I7 S. 7 not in force at Royal Assent, see s. 55(3)(a)

Programming quotas for public service television

8 Quotas: independent productions

- (1) Section 277 of the Communications Act 2003 (programming quotas for independent productions) is amended as follows.
- (2) For subsection (1) substitute—
 - “(1) The regulatory regime for every licensed public service channel includes the conditions that OFCOM consider appropriate for securing that in each year—
 - (a) the provider of the licensed public service channel makes available qualifying audiovisual content that includes a range and diversity of independent productions commissioned in accordance with the provider’s commissioning code, and
 - (b) the duration (in total) of those independent productions is at least the number of hours specified by order of the Secretary of State.”
- (3) In subsection (2), omit paragraph (a).
- (4) Omit subsection (3).
- (5) In subsection (5), for the words from “, in each year” to the end of the subsection substitute “—
 - (a) in each year, the provider of the licensed public service channel makes available qualifying audiovisual content that includes a range and diversity of independent productions commissioned in accordance with the provider’s commissioning code, and
 - (b) the cost (in total) of the acquisition of those independent productions is at least the amount specified in the order.”
- (6) In subsection (8), in paragraph (b), for “the percentage” substitute “the number of hours or (as the case may be) the amount”.
- (7) Omit subsection (9).
- (8) Omit subsection (10).
- (9) After subsection (12) insert—
 - “(12A) If a draft of a statutory instrument containing an order under this section would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.”
- (10) In subsection (13)—
 - (a) after the definition of “acquisition” insert—

““commissioning code”, in relation to a provider, means the code of practice drawn up by the provider in pursuance of conditions included in the provider’s licence by virtue of section 285;”

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(b) omit the definition of “programming budget” and the word “and” before it.

(11) After subsection (13) insert—

“(14) See also sections 278B and 278C (which make further provision for the interpretation of this section etc).”

Commencement Information

18 S. 8 not in force at Royal Assent, see s. 55(3)(a)

9 Quotas: original productions

(1) Section 278 of the Communications Act 2003 (programming quotas for original productions) is amended as follows.

(2) For subsection (1) substitute—

“(1) The regulatory regime for every licensed public service channel includes the conditions that OFCOM consider appropriate for securing that in each year—

- (a) the provider of the licensed public service channel makes available qualifying audiovisual content that includes a range of original productions,
- (b) the duration (in total) of those original productions is at least the number of hours that OFCOM consider appropriate, and
- (c) if OFCOM consider it appropriate, the additional peak viewing time objective described in subsection (1A) is met.

(1A) The additional peak viewing time objective is that (out of the number of hours determined by OFCOM for the purposes of subsection (1)(b)) at least the number of hours that OFCOM consider appropriate is allocated to the broadcasting of original productions included in the channel at peak viewing times.”

(3) Omit subsections (2) and (3).

(4) After subsection (7) insert—

“(7A) An order under subsection (6) may—

- (a) authorise OFCOM to provide in a condition included in a licence by virtue of this section that original productions of a description specified in the licence may not be counted towards meeting the condition;
- (b) require OFCOM to prepare and publish guidance about the determination of whether an original production falls within a description included in a licence by virtue of paragraph (a);
- (c) authorise OFCOM to provide in a condition included in a licence by virtue of this section that the holder of the licence must have regard to that guidance.”

(5) After subsection (11) insert—

“(12) See also sections 278B and 278C (which make further provision for the interpretation of this section etc).”

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Commencement Information

19 S. 9 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

10 Power to create additional quotas for qualifying audiovisual content

After section 278 of the Communications Act 2003 insert—

“278A Additional quotas for qualifying audiovisual content

- (1) The Secretary of State may by regulations specify a description of qualifying audiovisual content for the purposes of this section if—
 - (a) the Secretary of State considers that qualifying audiovisual content of that description is not being made available by the providers of licensed public service channels (taken together) to the extent that is appropriate, and
 - (b) subsection (3) applies.
- (2) The descriptions that may be specified under [subsection \(1\)](#) include descriptions that are framed in part by reference to the qualifying audiovisual service by means of which the content is made available.
- (3) This subsection applies where OFCOM have made a recommendation for the making of the regulations in their most recent report under section 229 or 264.
- (4) Where the Secretary of State makes regulations under [subsection \(1\)](#), the regulatory regime for every licensed public service channel includes the conditions that OFCOM consider appropriate for securing that in each year—
 - (a) the provider of the licensed public service channel makes available qualifying audiovisual content that includes content of the description specified in the regulations, and
 - (b) the duration (in total) of content of that description is at least the number of hours that OFCOM consider appropriate.
- (5) Before including a recommendation for the making of regulations under [subsection \(1\)](#) in a report under section 229 or 264, OFCOM must consult—
 - (a) members of the public in the United Kingdom,
 - (b) providers of licensed public service channels who are likely to be affected if the Secretary of State accepts the recommendation, and
 - (c) such other persons providing television programme services or on-demand programme services as OFCOM consider appropriate.
- (6) Before making regulations under [subsection \(1\)](#), the Secretary of State must consult the following persons about their content—
 - (a) OFCOM,
 - (b) providers of licensed public service channels who are likely to be affected by the regulations, and
 - (c) such other persons providing television programme services or on-demand programme services as the Secretary of State considers appropriate.

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- (7) A statutory instrument containing regulations under [subsection \(1\)](#) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (8) See also sections [278B](#) and [278C](#) (which make further provision for the interpretation of this section etc).”

Commencement Information

I10 S. 10 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

11 Quotas: meaning of “qualifying audiovisual content” etc

After section [278A](#) of the Communications Act 2003 (as inserted by [section 10](#)) insert—

“278B Quotas: meaning of “qualifying audiovisual content” etc

- (1) In this Part, “qualifying audiovisual content” means any material, other than advertisements, included in a qualifying audiovisual service.
- (2) For the purposes of this Part, a person makes available qualifying audiovisual content if—
- (a) that content is provided by—
 - (i) the person, or
 - (ii) a person associated with the person, under arrangements made between the person and that associated person,
 by means of a qualifying audiovisual service provided by the person or (as the case may be) that associated person,
 - (b) that content, and the qualifying audiovisual service by means of which it is provided, may be received or accessed in intelligible form and free of charge, and
 - (c) where the qualifying audiovisual service in question is an on-demand programme service, that content is available for the period described in section [264\(8B\)](#) unless it is excepted by section [264\(8C\)](#).
- (3) Where the period described in section [264\(8B\)](#) falls partly in one year and partly in another year, the person is to be regarded for the purposes of this Part as making the qualifying audiovisual content available in the year in which the period begins.
- (4) Section [362AZ12\(6\)](#) (meaning of references to a person associated with a public service broadcaster) applies for the purposes of [subsection \(2\)\(a\)](#) as it applies for the purposes of Part 3A.
- (5) Subsection [\(8A\)](#) of section 264 applies for the purposes of [subsection \(2\)\(b\)](#) as it applies for the purposes of [subsection \(8\)](#) of that section.
- (6) For the purposes of this Part, the following are qualifying audiovisual services—
- (a) television broadcasting services;

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- (b) on-demand programme services that are, or form part of, designated internet programme services;
 - (c) any other service that—
 - (i) is a relevant audiovisual service for the purposes of section 264 (see section 264(11)), and
 - (ii) is specified, or falls within a description specified, in regulations made by the Secretary of State.
- (7) In relation to a qualifying audiovisual service that is an on-demand programme service, references in this Part to “provide” (and related expressions) are to be read in accordance with section 368R(5).
- (8) Before making regulations under [subsection \(6\)\(c\)](#), the Secretary of State must consult OFCOM.
- (9) A statutory instrument containing regulations under [subsection \(6\)\(c\)](#) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (10) In this section, “designated internet programme service” has the same meaning as in Part 3A (see [section 362AZ12](#)).”

Commencement Information

III S. 11 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

12 Quotas: further provision about their fulfilment

After section [278B](#) of the Communications Act 2003 (as inserted by [section 11](#)) insert—

“278C Quotas: further provision about their fulfilment

- (1) In this section, a “quota condition” means—
- (a) a condition that forms part of the regulatory regime of a licensed public service channel by virtue of—
 - (i) section 277(1) or (4) (quotas for independent productions),
 - (ii) section 278(1) (quotas for original productions),
 - (iii) [section 278A\(4\)](#) (additional quotas), or
 - (iv) section 286(1)(a) and (aa) or (3)(a) and (aa) or 288(1)(a) and (aa) (regional programme-making quotas relating to duration);
 - (b) a condition that forms part of the regulatory regime of a licensed public service channel by virtue of section 286(1)(c) or (3)(c) or 288(1)(c) (regional programme-making quotas relating to expenditure), where the condition is framed by reference to the making available of qualifying audiovisual content;
 - (c) a duty of the BBC under or by virtue of paragraph 1(1) or (4) of Schedule 12 (BBC quotas for independent productions);

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- (d) a duty of S4C under or by virtue of paragraph 7(1) or (4) or 8(1) of Schedule 12 (S4C quotas for independent productions and original productions).
- (2) The Secretary of State must by regulations make provision determining whether qualifying audiovisual content that is made available by a person in the circumstances described in subsection (3) may be counted towards meeting a quota condition.
- (3) Those circumstances are that the person has previously made available audiovisual content consisting of the same or substantially the same material (whether in the same year or a previous year).
- (4) For the purposes of subsection (3)—
- (a) “audiovisual content” has the same meaning as in section 264;
 - (b) section 264(13) (interpretation of “made available”) applies as it applies for the purposes of section 264.
- (5) Except in the case of a quota condition relating to independent productions, regulations under subsection (2) may, instead of determining the matter described in that subsection, require OFCOM to determine it.
- (6) Where the regulations require OFCOM to determine the matter, OFCOM must do so—
- (a) in relation to a quota condition falling within subsection (1)(a) or (b), by conditions included in the licence of the provider of the licensed public service channel, and
 - (b) in relation to a quota condition falling within subsection (1)(d), by a direction given by OFCOM to S4C.
- (7) Before giving a direction under subsection (6)(b), OFCOM must consult S4C.
- (8) In relation to a quota condition falling within subsection (1)(a) or (b), the reference in subsection (3) to the person includes a reference to any person who previously held the licence to provide the licensed public service channel in question.
- (9) Before making regulations under subsection (2), the Secretary of State must consult OFCOM.
- (10) A statutory instrument containing regulations under subsection (2) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Commencement Information

I12 S. 12 not in force at Royal Assent, see s. 55(3)(a)

13 Quotas: independent productions: commissioning code

- (1) Section 285 of the Communications Act 2003 (code relating to programme commissioning) is amended as follows.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (2) In subsection (1), for the words from “he will apply” to the end of the subsection substitute “that the provider will apply—
- (a) when agreeing terms for the commissioning of independent productions that will be included in television broadcasting services;
 - (b) when agreeing terms for the commissioning of independent productions that will be included in other qualifying audiovisual services but which the provider wishes to count towards meeting the conditions included in the provider’s licence by virtue of section 277(1) or (4) (programming quotas for independent productions).”
- (3) In subsection (3), after paragraph (g) insert—
- “(h) that such information about the application of the code as OFCOM consider appropriate is given to persons who make independent productions that are to be commissioned in accordance with the code.”
- (4) After subsection (9) insert—
- “(10) See also section 278B (which makes further provision for the interpretation of this section).”

Commencement Information

I13 S. 13 not in force at Royal Assent, see s. 55(3)(a)

14 Regional programme-making: Channels 3, 4 and 5

- (1) Section 286 of the Communications Act 2003 (regional programme-making for Channels 3 and 5) is amended in accordance with subsections (2) to (6).
- (2) In subsection (1)—
- (a) in the words before paragraph (a), after “securing” insert “in each year”;
 - (b) for paragraph (a) substitute—
 - “(a) that the provider of that service makes available qualifying audiovisual content that, so far as it consists of Channel 3 programmes made in the United Kingdom, includes Channel 3 programmes made outside the M25 area;
 - (aa) that the duration (in total) of the Channel 3 programmes that are made in the United Kingdom outside the M25 area is at least the number of hours that OFCOM consider appropriate;”;
 - (c) in paragraph (b), for the words from “the Channel 3 programmes” to “the M25 area” substitute “those programmes”;
 - (d) in paragraph (c), for “a suitable proportion” substitute “a suitable amount”.
- (3) In subsection (3)—
- (a) in the words before paragraph (a), after “securing” insert “in each year”;
 - (b) for paragraph (a) substitute—
 - “(a) that the provider of that Channel makes available qualifying audiovisual content that, so far as it consists of programmes

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- made in the United Kingdom, includes programmes made outside the M25 area;
- (aa) that the duration (in total) of the programmes that are made in the United Kingdom outside the M25 area is at least the number of hours that OFCOM consider appropriate;”;
- (c) in paragraph (b), for the words from “the programmes” to “the M25 area” substitute “those programmes”;
- (d) in paragraph (c), for “a suitable proportion” substitute “a suitable amount”;
- (e) in that paragraph, after “that Channel” insert “, or for viewing by means of any other qualifying audiovisual service provided by the provider of that Channel,”.
- (4) In subsection (6)—
- (a) for “A proportion” substitute “An amount of expenditure”;
- (b) for “a significant proportion of the programmes or expenditure” substitute “a significant amount of the expenditure”.
- (5) In subsection (7), in the definition of “Channel 3 programmes” after “on Channel 3” insert “, or for viewing by means of any other qualifying audiovisual service provided by a provider of a Channel 3 service,”.
- (6) After subsection (7) insert—
- “(8) See also sections [278B](#) and [278C](#) (which make further provision for the interpretation of this section etc).”
- (7) Section 288 of the Communications Act 2003 (regional programme-making for Channel 4) is amended in accordance with subsections (8) to (10).
- (8) In subsection (1)—
- (a) in the words before paragraph (a), after “securing” insert “in each year”;
- (b) for paragraph (a) substitute—
- “(a) that the provider of that Channel makes available qualifying audiovisual content that, so far as it consists of programmes made in the United Kingdom, includes programmes made outside the M25 area;
- (aa) that the duration (in total) of the programmes that are made in the United Kingdom outside the M25 area is at least the number of hours that OFCOM consider appropriate;”;
- (c) in paragraph (b), for the words from “the programmes” to “the M25 area” substitute “those programmes”;
- (d) in paragraph (c), for “a suitable proportion” substitute “a suitable amount”;
- (e) in that paragraph, after “Channel 4” insert “, or for viewing by means of any other qualifying audiovisual service provided by the provider of Channel 4,”.
- (9) In subsection (4)—
- (a) for “A proportion” substitute “An amount of expenditure”;
- (b) for “a significant proportion of the programmes or expenditure” substitute “a significant amount of the expenditure”.
- (10) After subsection (5) insert—

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

“(6) See also sections 278B and 278C (which make further provision for the interpretation of this section etc).”

Commencement Information

I14 S. 14 not in force at Royal Assent, see s. 55(3)(a)

15 Networking arrangements for Channel 3

(1) Section 290 of the Communications Act 2003 (proposals for arrangements) is amended in accordance with subsections (2) to (4).

(2) In subsection (4)—

- (a) in paragraph (b), for “available for broadcasting in all regional Channel 3 services” substitute “, in relation to each holder of such a licence, available for inclusion in one or more qualifying audiovisual services provided by that holder or a person associated with that holder”;
- (b) in paragraph (c), for the words from “regional Channel 3 services” to the end of the paragraph substitute “holders of such licences and persons associated with any of those holders to provide qualifying audiovisual services that (taken as a whole) are able to compete effectively with other television programme services and on-demand programme services provided in the United Kingdom.”

(3) After subsection (4) insert—

“(5) Section 362AZ12(6) (meaning of references to a person associated with a public service broadcaster) applies for the purposes of subsection (4)(b) and (c) as it applies for the purposes of Part 3A.”

(4) After subsection (5) (inserted by subsection (3)) insert—

“(6) See also section 278B (which makes further provision for the interpretation of this section).”

(5) In section 293 of that Act (review of approved networking arrangements etc), in subsection (3), for “one year” substitute “five years”.

Commencement Information

I15 S. 15 not in force at Royal Assent, see s. 55(3)(a)

16 Removal of quotas for schools programmes on Channel 4

Omit section 296 of the Communications Act 2003 (provision of schools programmes on Channel 4).

Commencement Information

I16 S. 16 not in force at Royal Assent, see s. 55(3)(a)

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

17 Quotas: the BBC and S4C

Schedule 1 contains amendments relating to—

- (a) quotas for independent productions in relation to the BBC and S4C, and
- (b) quotas for original productions in relation to S4C.

Commencement Information

I17 S. 17 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Information

18 Power to require information

After section 338 of the Communications Act 2003 insert—

“Information relating to certain OFCOM functions

338A Power to require information

- (1) OFCOM may by notice (an “information notice”) require a person within [subsection \(4\)](#) to provide them with any information that they require for the purpose of carrying out their functions under—
 - (a) sections 198B to 198D,
 - (b) sections 263 to 294 and Schedule 11, and
 - (c) paragraphs 5 and 7 to 10 of Schedule 12.
- (2) The power conferred by [subsection \(1\)](#) includes power to require a person within [subsection \(4\)](#) to obtain or generate information.
- (3) The power conferred by [subsection \(1\)](#) must be exercised in a way that is proportionate to the use to which the information is to be put by OFCOM.
- (4) The persons within this subsection are—
 - (a) a provider of a licensed public service channel;
 - (b) S4C;
 - (c) a person with whom a public service broadcaster has made such arrangements as are referred to in [section 264\(13\)\(b\)](#);
 - (d) a person who is not within any of paragraphs (a) to (c) but who provides a media service (within the meaning of [section 264A](#));
 - (e) a person who was within any of paragraphs (a) to (d) at a time to which the required information relates;
 - (f) a person who is not within any of paragraphs (a) to (e) but who appears to OFCOM to have, or to be able to obtain or generate, information required by them as mentioned in [subsection \(1\)](#).
- (5) An information notice must—
 - (a) specify or describe the information to be provided,
 - (b) specify why OFCOM require the information,

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Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (c) specify the form and manner in which the information must be provided, and
 - (d) contain information about the consequences of not complying with the notice.
- (6) An information notice must specify when the information must be provided which may be—
- (a) on or by a specified date, or
 - (b) within a specified period.
- (7) The power conferred by [subsection \(1\)](#) to require the provision of information includes power to require the provision of information held outside the United Kingdom.
- (8) OFCOM may not use the power conferred by [subsection \(1\)](#) to require the BBC to provide, obtain or generate information.
- (9) The power conferred by [subsection \(1\)](#) does not include power to require the provision of information in respect of which a claim to legal professional privilege, or (in Scotland) to confidentiality of communications, could be maintained in legal proceedings.
- (10) A person to whom an information notice is given must provide the information in accordance with any requirements included in the notice (subject to [subsection \(11\)](#)).
- (11) The duty under [subsection \(10\)](#) does not require a disclosure of information if that disclosure would contravene the data protection legislation (but, in determining whether a disclosure would do so, that duty is to be taken into account).
- (12) In this section—
- “data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);
 - “public service broadcaster” has the meaning given by section 264.

338B Penalties for failure to provide information

- (1) This section applies if—
- (a) OFCOM have given an information notice under [section 338A](#) to a person within [section 338A\(4\)](#), and
 - (b) OFCOM have determined, after giving the person an opportunity to make representations, that there are reasonable grounds for believing that there was, or is, a failure by the person to comply with the information notice.
- (2) OFCOM may give the person a notice (a “penalty notice”) requiring the person to pay OFCOM a penalty of an amount specified in the notice.
- (3) The penalty may include an amount for each day on which the person fails to comply with the information notice.
- (4) The amount of the penalty under [subsection \(2\)](#) is to be such amount, not exceeding £250,000, as OFCOM determine to be—

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (a) appropriate; and
 - (b) proportionate to the failure to comply in respect of which it is imposed.
- (5) If the penalty notice is given in relation to a continuing failure to comply with the information notice, the penalty notice may also require the person to pay OFCOM a penalty of an amount specified in the penalty notice in respect of each day after the giving of the penalty notice on which the failure continues.
- (6) The amount of a penalty under [subsection \(5\)](#) is to be such amount, not exceeding £500 per day, as OFCOM determine to be—
- (a) appropriate; and
 - (b) proportionate to the failure to comply in respect of which it is imposed.
- (7) A penalty notice must—
- (a) fix a reasonable period after it is given as the period within which a penalty under [subsection \(2\)](#) is to be paid;
 - (b) where penalties under [subsection \(5\)](#) are imposed, fix a reasonable period as the period within which such a penalty is to be paid.
- (8) A financial penalty imposed under this section must be paid to OFCOM within the period fixed by them.”

Commencement Information

I18 S. 18 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Amount of financial penalties

19 Amount of financial penalties: qualifying revenue

- (1) The Broadcasting Act 1990 is amended as set out in subsections [\(2\)](#) to [\(5\)](#).
- (2) In section 18 (failure to begin providing licensed Channel 3 service and financial penalties on revocation of Channel 3 licence), in subsection (3D), for “Section 19(2) to (6)” substitute “Section [18A](#)”.
- (3) After section 18 insert—

“18A Section 18: supplementary provision

- (1) For the purposes of section 18(3B) or (3C), the qualifying revenue for an accounting period of a holder of a Channel 3 licence is the aggregate of—
 - (a) the qualifying revenue for that accounting period of the licence holder which derives from that licensed service, and
 - (b) the qualifying revenue for that accounting period of the licence holder which derives from any on-demand programme service, non-UK on-demand programme service or television programme service that is—
 - (i) provided by the licence holder or a person associated with the licence holder, and

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Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (ii) included in an internet programme service that is designated under [section 362AA\(2\)](#) of the Communications Act 2003 as a service provided by the licence holder or as a service provided by a person associated with the licence holder.
- (2) Section 19(2) to (6) applies for determining the qualifying revenue referred to in [subsection \(1\)\(a\)](#).
 - (3) Section 368J(4), (5) and (7) of the Communications Act 2003 applies for determining the qualifying revenue referred to in [subsection \(1\)\(b\)](#) which derives from an on-demand programme service or a non-UK on-demand programme service.
 - (4) Section 19(2) and (4) to (6) applies for determining the qualifying revenue referred to in [subsection \(1\)\(b\)](#) which derives from a television programme service as if—
 - (a) in section 19(2) and (6), references to a Channel 3 service were references to the television programme service,
 - (b) in section 19(2), (4) and (6), references to the holder of a Channel 3 licence were references to the provider of the television programme service, and
 - (c) in section 19(2) and (6), the words “of the licence holder” were omitted.
 - (5) Section [362AZ12\(6\)](#) of the Communications Act 2003 (meaning of references to a person associated with a public service broadcaster) applies for the purposes of this section as it applies for the purposes of Part 3A of that Act.
 - (6) For the purposes of this section—
 - (a) the person who provides an internet programme service is the person treated for the purposes of Part 3A of the Communications Act 2003 as providing that service (see [section 362AZ12](#) of that Act), and
 - (b) the person who provides an on-demand programme service or a non-UK on-demand programme service is the person treated for the purposes of Part 4A of that Act as providing that service (see [section 368R](#) of that Act).
 - (7) In this section—
 - “designated internet programme service” has the same meaning as in Part 3A of the Communications Act 2003 (see [section 362AZ12\(1\)](#));
 - “on-demand programme service” and “non-UK on-demand programme service” have the same meaning as in Part 4A of that Act (see [section 368A](#)).”
- (4) In section 41 (power to impose financial penalty or shorten licence period of a Channel 3 service, Channel 4 and Channel 5), for subsection (1C) substitute—
 - “(1C) Section [18A](#) applies for determining or estimating qualifying revenue for the purposes of subsection (1A) or (1B), with any necessary modifications in relation to the holder of the Channel 5 licence.”

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (5) In Schedule 7 (qualifying revenue: supplementary provisions), in Part 1 (qualifying revenue for the purposes of Part 1 or 2 of this Act), in paragraph 1, after sub-paragraph (4) insert—

“(5) This paragraph does not apply in relation to such part of a person’s qualifying revenue as falls to be ascertained in accordance with section 368J of the Communications Act 2003 (see [section 18A\(1\)\(b\)](#) and [\(3\)](#) of this Act).”

- (6) In Schedule 9 to the Communications Act 2003 (arrangements about the carrying on of C4C’s activities), in paragraph 8 (penalty for contravention of the arrangements), for sub-paragraph (7) substitute—

“(7) Section [18A](#) of the 1990 Act, with any necessary modifications, has effect in relation to C4C for the purposes of this paragraph as it has effect in relation to the holder of a Channel 3 licence for the purposes of Part 1 of the 1990 Act; and Part 1 of Schedule 7 to the 1990 Act has effect as if C4C’s qualifying revenue for an accounting period were being ascertained for the purposes of a provision of Part 1 of the 1990 Act.”

Commencement Information

I19 S. 19 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Sporting and other events of national interest

20 Categories of relevant service

- (1) Section 98 of the Broadcasting Act 1996 (categories of service) is amended as follows.

- (2) For subsections (1) and (2) substitute—

“(1) For the purposes of this Part, relevant services are divided into two categories as follows—

- (a) those relevant services which for the time being fall within [subsection \(1A\)](#) or [\(2A\)](#), and
- (b) all other relevant services.

(1A) A television programme service falls within this subsection if it is—

- (a) a service provided by the BBC or a BBC company otherwise than with a view to generating a profit,
- (b) a Channel 3 service, Channel 4 or Channel 5,
- (c) S4C Digital, or
- (d) a service, other than a Channel 3 service, Channel 4, Channel 5 or S4C Digital, which is provided by the provider of one of those services or by a Channel 4 company, S4C company or body corporate controlled by the provider of a Channel 3 service or Channel 5,

and it satisfies the conditions in [subsection \(2\)](#).

(2) The conditions in this subsection are—

- (a) that the television programme service may be received free of charge;

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (b) that, in the case of a service described in [subsection \(1A\)\(d\)](#), the provider’s latest statement of programme policy under—
- (i) section 266 or 267 of the Communications Act 2003, or
 - (ii) paragraph 4 of Schedule 12 to that Act,
- states that the service will be used to fulfil the public service remit for the Channel 3 service, Channel 4 or Channel 5 or (as the case may be) S4C’s public service remit.
- (2A) A relevant service falls within this subsection if—
- (a) it is or forms part of a designated internet programme service,
 - (b) where it is a service that forms part of a designated internet programme service, it satisfies the conditions in [subsection \(2B\)](#), and
 - (c) it and the programmes included in it may be accessed free of charge.
- (2B) The conditions are—
- (a) that the relevant service is provided by—
 - (i) the BBC or a person associated with the BBC otherwise than with a view to generating a profit,
 - (ii) the provider of a Channel 3 service, Channel 4 or Channel 5,
 - (iii) S4C, or
 - (iv) a person associated with a broadcaster mentioned in [sub-paragraph \(ii\)](#) or [\(iii\)](#);
 - (b) that, where it is provided by the BBC or a person associated with the BBC, the service contributes to the promotion of one or more of the BBC’s public purposes;
 - (c) that, where it is provided by a broadcaster referred to in [paragraph \(a\)\(ii\)](#) or [\(iii\)](#) or a person associated with such a broadcaster, the broadcaster’s latest statement of programme policy under—
 - (i) section 266 or 267 of the Communications Act 2003, or
 - (ii) paragraph 4 of Schedule 12 to that Act,states that the service will be used to fulfil the public service remit for the Channel 3 service, Channel 4 or Channel 5 or (as the case may be) S4C’s public service remit.
- (2C) Where a relevant service would satisfy the conditions in [subsection \(2A\)](#) but for access to some of the programmes included in the service not being free of charge—
- (a) so much of the service as includes programmes that may be accessed free of charge, and
 - (b) the remainder of the service,
- are to be regarded as separate relevant services for the purposes of this Part.
- (2D) [Section 362AZ12\(6\)](#) of the Communications Act 2003 (meaning of references to a person associated with a public service broadcaster) applies for the purposes of [subsection \(2B\)](#) as it applies for the purposes of Part 3A of that Act.”
- (3) In subsection (3) (disregard of TV licence fee), after “subsection (2)(a)” insert “, [\(2A\)](#) or [\(2C\)](#)”.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

(4) At the end insert—

“(7) In this Part, “relevant service” means—

- (a) a television programme service;
- (b) an on-demand programme service;
- (c) a non-UK on-demand programme service;
- (d) a service, or a dissociable section of a service, which has the following characteristics—
 - (i) its principal purpose is the provision of programmes;
 - (ii) the programmes it provides are accessed by means of the internet;
 - (iii) there is a person who has general control over what programmes are included in the service or the dissociable section of the service (see [subsection \(8\)](#));
 - (iv) it is made available by that person for use by members of the public;
 - (v) the members of the public who use the service, or the dissociable section of the service, are or include members of the public in the United Kingdom;
 - (vi) it is not a television programme service, on-demand programme service or non-UK on-demand programme service;
 - (vii) it is not a service of the kind described in [section 362AA\(10\)\(c\)](#) of the Communications Act 2003 (internet programme services which provide programmes by means of an on-demand programme service or non-UK on-demand programme service and at least one other service).

(8) The person by reference to whom the requirement in [subsection \(7\)\(d\)\(iii\)](#) is satisfied need not have control of the contents of individual programmes or of the distribution of the service.

(9) In this section, “programme” means such programme as is described in [section 368ZA](#) of the Communications Act 2003.”

Commencement Information

I20 S. 20 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

21 Contracts relating to coverage of listed events

(1) Section 99 of the Broadcasting Act 1996 (contract for exclusive right to televise listed event to be void) is amended as set out in [subsections \(2\)](#) and [\(3\)](#).

(2) For subsection (1) substitute—

“(1) Any contract entered into on or after the day on which [section 21](#) of the Media Act 2024 comes into force which grants rights to include in a relevant service live coverage of the whole or any part of a Group A event for reception in, or in order to be accessed by members of the public in, the United Kingdom or any area of the United Kingdom is void so far as it purports—

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Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (a) in relation to the whole or any part of the event, or
 - (b) in relation to reception, or access by means of the internet, in the United Kingdom or any part of the United Kingdom,
- to grant those rights exclusively.”

(3) For subsection (3) substitute—

“(3) For the purposes of this section, rights for a relevant service (“the first service”) to include live coverage of all or part of a Group A event in that service for reception in, or in order to be accessed by members of the public in, the United Kingdom or any area of the United Kingdom are granted exclusively if the person granting them—

- (a) has not granted such rights to include live coverage of the whole or, as the case may be, that part of the event in one or more other relevant services as are sufficient to authorise, in accordance with [section 101\(2\)](#) or [\(3\)](#) or, as the case may be, [section 101\(4\)](#), the inclusion in the first service of the live coverage in question, and
- (b) is precluded by the terms of the contract from doing so.”

(4) Section 100 of the Broadcasting Act 1996 (contract for televising listed event must specify category of service) is amended as set out in subsections [\(5\)](#) and [\(6\)](#).

(5) For subsection (1) substitute—

“(1) Any contract entered into on or after the day on which [section 21](#) of the Media Act 2024 comes into force is void so far as it purports to grant rights to include live coverage of the whole or any part of a listed event in a relevant service for reception in, or in order to be accessed by members of the public in, the United Kingdom, or any area of the United Kingdom, unless the contract complies with subsection (2).”

(6) In subsection (2)—

- (a) for “the television programme provider” substitute “the provider of the relevant service”;
- (b) in paragraph (a), for “television programme service” substitute “relevant service”;
- (c) in paragraph (b), for “television programme service” substitute “relevant service”.

Commencement Information

I21 S. 21 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

22 Restriction on showing live coverage of listed events

For section 101 of the Broadcasting Act 1996 (restriction on televising of listed event) substitute—

“101 Restriction on showing live coverage

(1) A provider of a relevant service who—

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (a) is providing a relevant service (“the first service”) falling within either category, and
 - (b) is providing it with a view to its being available to members of the public in the United Kingdom or in any area of the United Kingdom,
- must not include live coverage of a listed event in that service unless it is authorised by subsection (2), (3), (4), (5) or (6).
- (2) Live coverage of a listed event is authorised by this subsection if—
- (a) identical rights to include live coverage of the event in a relevant service other than the first service (“the second service”) have been acquired, and
 - (b) the second service—
 - (i) is provided by a person other than the provider of the first service,
 - (ii) falls into a different category from the first service,
 - (iii) is not a relevant service other than the first service only because section 98(2C) applies to it, and
 - (iv) is provided for an area that consists of or includes all or almost all of the area for which the first service is provided.
- (3) Live coverage of a listed event is authorised by this subsection if—
- (a) rights to include live coverage of the event in two or more relevant services other than the first service (“the second and further services”) have been acquired,
 - (b) those rights, taken together, constitute identical rights to include live coverage of the event in the second and further services,
 - (c) each of the second and further services—
 - (i) is provided by a person other than the provider of the first service,
 - (ii) falls into a different category from the first service,
 - (iii) is not a relevant service other than the first service only because section 98(2C) applies to it, and
 - (iv) is provided for an area that consists of or includes all or almost all of the area for which the first service is provided.
- (4) Live coverage of a listed event is authorised by this subsection if—
- (a) the event is a sporting event that involves different sports,
 - (b) rights to include live coverage of the event in two or more relevant services other than the first service (“the second and further services”) have been acquired,
 - (c) that additional coverage, taken as a whole, is adequate live coverage of the event,
 - (d) at least two of the second and further services are television programme services, and
 - (e) each of the second and further services—
 - (i) is provided by a person other than the provider of the first service,
 - (ii) falls into a different category from the first service,
 - (iii) is not a relevant service other than the first service only because section 98(2C) applies to it, and

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Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (iv) is provided for an area that consists of or includes all or almost all of the area for which the first service is provided.
- (5) Live coverage of a listed event is authorised by this subsection if OFCOM have consented in advance to inclusion of that coverage in the first service.
- (6) Live coverage of a listed event is authorised by this subsection if—
- (a) the listed event is a Group B event,
 - (b) rights to provide coverage of the event have been acquired by one or more persons in addition to the provider of the first service,
 - (c) that additional coverage constitutes adequate alternative coverage of the event, and
 - (d) 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 under section 104ZA for the purposes of this paragraph.
- (7) Subsections (1) to (6) apply in relation to the coverage of a part of a listed event as they apply in relation to the coverage of the whole of that event.
- (8) OFCOM may revoke any consent given by them for the purposes of subsection (5).
- (9) Failure to comply with subsection (1) does not affect the validity of any contract.
- (10) Subsection (1) does not have effect where the person providing the first service is exercising rights acquired before the commencement of section 22 of the Media Act 2024.
- (11) References in this section to a category of service are to a category of service set out in section 98(1).”

Commencement Information

I22 S. 22 not in force at Royal Assent, see s. 55(3)(a)

23 Regulations about coverage of listed events

- (1) Section 104ZA of the Broadcasting Act 1996 (regulations about coverage of listed events) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a)—
 - (i) for “televising” substitute “coverage”;
 - (ii) after “live” insert “coverage”;
 - (b) after paragraph (a) insert—
 - “(aa) what (whether generally or in relation to particular circumstances) is to be taken to represent the provision of adequate live coverage for the purposes of section 101(4)(c);”;
 - (c) in paragraph (b), after “coverage” insert “for the purposes of section 101(6)(c)”;

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (d) in paragraph (c), for “section 101(1C)(d)” substitute “[section 101\(6\)\(d\)](#)”.
- (3) In subsection (2), for ““live”” substitute ““live coverage””.
- (4) After subsection (2) insert—
- “(2A) Regulations made by virtue of subsection (1)(aa) may, in particular—
- (a) describe what represents the provision of adequate live coverage by reference to—
 - (i) the duration of the live coverage (whether expressed as a percentage of the duration of the proceedings or otherwise),
 - (ii) the numbers of relevant services of particular descriptions in which the live coverage is included (subject to [section 101\(4\)\(d\)](#)), or
 - (iii) a combination of those matters;
 - (b) provide for live coverage not to be taken into account if the provider of the service is unable to select what parts of the proceedings are covered.
- (2B) When making regulations by virtue of subsection (1)(aa), OFCOM must have regard to—
- (a) the forms of live coverage that OFCOM consider are likely to satisfy the interest of members of the public in the United Kingdom or an area of the United Kingdom in listed events of the sort to which section 101(4)(c) relates;
 - (b) the desirability of facilitating the making of arrangements under which rights to include live coverage of sporting events that involve different sports are acquired by providers of relevant services in both of the categories of relevant service set out in section 98(1).”

Commencement Information

I23 S. 23 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

24 Provision of information

- (1) Section 104A of the Broadcasting Act 1996 (provision of information) is amended as set out in subsections [\(2\)](#) to [\(4\)](#).
- (2) Renumber subsection (2) as subsection (12).
- (3) Before subsection (12) (as renumbered by [subsection \(2\)](#)) insert—
 - “(2) OFCOM may by notice (an “information notice”) require a person within [subsection \(5\)](#) to provide them with any information that they require for the purpose of carrying out their functions under this Part relating to listed events.
 - (3) The power conferred by [subsection \(2\)](#) includes power to require a person within [subsection \(5\)](#) to obtain or generate information.
 - (4) The power conferred by [subsection \(2\)](#) must be exercised in a way that is proportionate to the use to which the information is to be put by OFCOM.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (5) The persons within this subsection are—
 - (a) a provider of a relevant service;
 - (b) a person who was a provider of a relevant service at a time to which the required information relates;
 - (c) a person who is not within [paragraph \(a\)](#) or [\(b\)](#) but who appears to OFCOM to have, or to be able to obtain or generate, information required by them as mentioned in [subsection \(2\)](#).
- (6) An information notice must—
 - (a) specify or describe the information to be provided,
 - (b) specify why OFCOM require the information,
 - (c) specify the form and manner in which the information must be provided, and
 - (d) contain information about the consequences of not complying with the notice.
- (7) An information notice must specify when the information must be provided which may be—
 - (a) on or by a specified date, or
 - (b) within a specified period.
- (8) The power conferred by [subsection \(2\)](#) to require the provision of information includes power to require the provision of information held outside the United Kingdom.
- (9) The power conferred by [subsection \(2\)](#) does not include power to require the provision of information in respect of which a claim to legal professional privilege, or (in Scotland) to confidentiality of communications, could be maintained in legal proceedings.
- (10) A person to whom an information notice is given must provide the information in accordance with any requirements included in the notice (subject to [subsection \(11\)](#)).
- (11) The duty under [subsection \(10\)](#) does not require a disclosure of information if that disclosure would contravene the data protection legislation (but, in determining whether a disclosure would do so, that duty is to be taken into account).”
- (4) After subsection (12) (as renumbered by [subsection \(2\)](#)) insert—

“(13) In this section, “data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”
- (5) After that section insert—

“104B Penalties for failure to provide information

- (1) This section applies if—
 - (a) OFCOM have given an information notice under section 104A(2) to a person within section 104A(5), and
 - (b) OFCOM have determined, after giving the person an opportunity to make representations, that there are reasonable grounds for believing

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that there was, or is, a failure by the person to comply with the information notice.

- (2) OFCOM may give the person a notice (a “penalty notice”) requiring the person to pay OFCOM a penalty of an amount specified in the notice.
- (3) The penalty may include an amount for each day on which the person fails to comply with the information notice.
- (4) The amount of the penalty under [subsection \(2\)](#) is to be such amount, not exceeding £250,000, as OFCOM determine to be—
 - (a) appropriate; and
 - (b) proportionate to the failure to comply in respect of which it is imposed.
- (5) If the penalty notice is given in relation to a continuing failure to comply with the information notice, the penalty notice may also require the person to pay OFCOM a penalty of an amount specified in the penalty notice in respect of each day after the giving of the penalty notice on which the failure continues.
- (6) The amount of a penalty under [subsection \(5\)](#) is to be such amount, not exceeding £500 per day, as OFCOM determine to be—
 - (a) appropriate; and
 - (b) proportionate to the failure to comply in respect of which it is imposed.
- (7) A penalty notice must—
 - (a) fix a reasonable period after it is given as the period within which a penalty under [subsection \(2\)](#) is to be paid;
 - (b) where penalties under [subsection \(5\)](#) are imposed, fix a reasonable period as the period within which such a penalty is to be paid.
- (8) A financial penalty imposed under this section must be paid to OFCOM within the period fixed by them.
- (9) Where OFCOM receive an amount payable to them by virtue of [subsection \(8\)](#), that amount is to be paid into the Consolidated Fund.
- (10) An amount payable by a person to OFCOM by virtue of [subsection \(8\)](#) is recoverable by OFCOM as a debt due to OFCOM from that person.”

Commencement Information

I24 S. 24 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

25 Sections 20 to 24: further provision

- (1) An amendment made by sections 20 to 23 or paragraphs 12 to 19 of [Schedule 2](#) does not affect the validity of a contract entered into before sections 20 to 23 come into force or the exercise of rights acquired under such a contract.
- (2) On the date on which [section 21](#) comes into force, the Secretary of State must revise the list maintained for the purposes of Part 4 of the Broadcasting Act 1996 in order to allocate each event which is a listed event on that date either to Group A or Group B.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

- (3) Where—
- (a) the events listed in the list in force immediately before the Secretary of State revises it under [subsection \(2\)](#) are treated, for any of the purposes of the code in force under section 104 of the Broadcasting Act 1996 at that time, as divided into two categories, and
 - (b) the Secretary of State’s revision under [subsection \(2\)](#) makes the same division, section 97(2) of the Broadcasting Act 1996 is not to apply in relation to that revision of the list.
- (4) OFCOM must draw up a code under section 104 of the Broadcasting Act 1996 as soon as practicable after [paragraph 18 of Schedule 2](#) to this Act (amendments of section 104) comes into force.
- (5) The code drawn up by OFCOM in accordance with [subsection \(4\)](#) is not to have effect in relation to any time before [section 22](#) of this Act comes into force.
- (6) Regulations under [section 55\(5\)](#) (transitional, transitory or saving provision in connection with commencement) may provide for the old section 104 code to continue to have effect in relation to cases specified in the regulations after the coming into force of the code drawn up by OFCOM in accordance with [subsection \(4\)](#).
- (7) In this section—
- “OFCOM” means the Office of Communications;
 - “the old section 104 code” means the code drawn up under section 104 of the Broadcasting Act 1996 which is continued in effect by paragraph 51(2) of Schedule 18 to the Communications Act 2003.

Commencement Information

I25 S. 25 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Public teletext service

26 Public teletext service

In the Communications Act 2003, omit sections 218 to 223 (duty to secure the provision of a public teletext service etc).

Commencement Information

I26 S. 26 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Further amendments

27 Further amendments relating to public service television

[Schedule 2](#) contains further amendments relating to this Part.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Part 1. (See end of Document for details)

Commencement Information

I27 S. 27 not in force at Royal Assent, see [s. 55\(3\)\(a\)](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Media Act 2024, Part 1.