



Media Act 2024

2024 CHAPTER 15

PART 1

PUBLIC SERVICE TELEVISION

Programming quotas for public service television

PROSPECTIVE

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

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Section 11. (See end of Document for details)

- (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;
 - (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

- II** S. 11 not in force at Royal Assent, see s. 55(3)(a)

Status:

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Changes to legislation:

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