



Media Act 2024

2024 CHAPTER 15

PART 4

ON-DEMAND PROGRAMME SERVICES

PROSPECTIVE

38 Audience protection reviews

- (1) In Part 4A of the Communications Act 2003, after section 368OA insert—

“Audience protection reviews etc

368OB Audience protection reviews etc

- (1) As soon as practicable after this section comes into force, OFCOM must carry out a review of audience protection measures in use by providers of—
 - (a) on-demand programme services, or
 - (b) non-UK on-demand programme services that are Tier 1 services.
- (2) The scope of that review is to consider whether the audience protection measures are adequate for the purpose of assisting the providers to comply with the duties imposed on them by or under this Act for the protection of audiences from harm.
- (3) After the review under [subsection \(1\)](#), OFCOM may carry out further reviews for the same purpose at such times as appear appropriate to OFCOM.
- (4) “Audience protection measures” are measures that are capable of assisting in protecting audiences from harm, the following being examples—
 - (a) age rating or other classification systems;
 - (b) content warnings;
 - (c) parental controls;

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Section 38. (See end of Document for details)

- (d) age assurance measures.
- (5) OFCOM may request any provider described in [subsection \(1\)](#) to provide OFCOM with information about its audience protection measures for the purposes of a review under [subsection \(1\)](#) or [\(3\)](#).
- (6) OFCOM may also request any provider described in [subsection \(1\)](#) to provide OFCOM with information about its audience protection measures where, in consequence of a review or anything else done in the exercise of their functions, they are concerned that the measures in use by that provider are or might be inadequate.
- (7) A request under [subsection \(5\)](#) or [\(6\)](#) must specify or describe the information to be provided and may also—
- (a) specify a period of time within which the information must be provided;
 - (b) specify the form and manner in which the information must be provided.
- (8) A request under [subsection \(6\)](#) may specify that information is to be provided at intervals specified by OFCOM.
- (9) A provider described in [subsection \(1\)](#) must comply with a request under [subsection \(5\)](#) or [\(6\)](#).
- (10) OFCOM may publish any information provided to them under this section.”
- (2) In section 393 of that Act (general restrictions on disclosure of information), in [subsection \(6\)](#), after paragraph (aa) insert—
- “(ab) limits the information that may be published by OFCOM under [section 368OB](#).”

Commencement Information

II S. 38 not in force at Royal Assent, see [s. 55\(3\)\(d\)](#)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Media Act 2024, Section 38.