

2024 No. 858 (C. 55)

BROADCASTING

ELECTRONIC COMMUNICATIONS

The Media Act 2024 (Commencement No. 1) Regulations 2024

Made - - - -

15th August 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 55(3) and (4) of the Media Act 2024(a).

Citation and interpretation

1.—(1) These Regulations may be cited as the Media Act 2024 (Commencement No. 1) Regulations 2024.

(2) In these Regulations—

- (a) “the 1996 Act” means the Broadcasting Act 1996(b);
- (b) “the 2003 Act” means the Communications Act 2003(c); and
- (c) “the 2024 Act” means the Media Act 2024.

Provisions coming into force on 23rd August 2024

2.—(1) The following provisions of the 2024 Act come into force on 23rd August 2024—

- (a) section 16 (removal of quotas for schools programmes on Channel 4);
- (b) section 18 (power to require information);
- (c) section 23 (regulations about coverage of listed events);
- (d) section 24 (provision of information);
- (e) section 25 (sections 20 to 24: further provision), except subsection (1);
- (f) section 26 (public teletext service);
- (g) section 27 (further amendments relating to public service television);
- (h) section 28 (prominence on television selection services), so far as not already in force(d), except for the insertion of the following provisions into the 2003 Act by subsection (1)—

(a) 2024 c. 15.

(b) 1996 c. 55.

(c) 2003 c. 21.

(d) Section 28 came into force on the day on which the Media Act 2024 (c. 15) was passed so far as it confers powers to make regulations.

- (i) subsection (1)(a) of section 362AA (designation of internet programme services);
- (ii) subsection (1)(c) of section 362AA (designation of internet programme services) but only in so far as it applies to an internet programme service provided by a person associated with the BBC;
- (iii) subsection (5) of section 362AA (eligibility conditions for an internet programme service provided by a person associated with the BBC);
- (iv) subsection (8) of section 362AA (appropriateness of designating an internet programme service provided by a person associated with the BBC);
- (v) section 362AJ (must-offer obligations in the case of designated internet programme services);
- (vi) section 362AK (must-carry obligations); and
- (vii) section 362AO (duties relating to a regulated television selection service);
- (i) section 29 (sustainability duty of C4C);
- (j) section 31 (involvement of C4C in programme-making);
- (k) section 33 (the S4C board);
- (l) section 34 (accounts and audit);
- (m) section 35 (amendment of BBC's obligation to provide Welsh programmes);
- (n) section 36 (chapter 2 of part 3: minor and consequential amendments);
- (o) section 37 (tier 1 services);
- (p) section 38 (audience protection reviews);
- (q) section 39 (S4C: on-demand programme services);
- (r) section 40 (other amendments of part 4A of the 2003 Act);
- (s) section 48 (regulation of radio selection services) except for the insertion of the following provisions into the 2003 Act by this section—
 - (i) section 362BI (access to relevant internet radio services);
 - (ii) section 362BJ (further provision about access to relevant internet radio services);
 - and
 - (iii) section 362BN (complaints procedures);
- (t) section 49 (penalties under parts 3A and 3B of the Communications Act 2003);
- (u) section 51 (amendments to broadcasting legislation: UK's withdrawal from the EU);
- (v) Schedule 2 (part 1: further amendments) except for the following paragraphs and sub-paragraphs: 12 to 17, 19, 23, 25, 26, 32(2), 36(2), 58, 59, 60(2), and 61(b) and (c);
- (w) Schedule 3 (part 2: further amendments);
- (x) Schedule 4 (chapter 2 of part 3: minor and consequential amendments) except for the following paragraphs and sub-paragraphs—
 - (i) sub-paragraph (2)(c) of paragraph 5;
 - (ii) sub-paragraphs (2)(c), (3)(b) to (d) and (4) of paragraph 6;
 - (iii) sub-paragraph (b) of paragraph 18;
 - (iv) sub-paragraph (3)(b) of paragraph 19;
 - (v) sub-paragraph (b) of paragraph 23;
 - (vi) sub-paragraphs (2) and (4)(b) of paragraph 39;
 - (vii) sub-paragraph (3) of paragraph 41;

- (viii) paragraph 51;
- (ix) sub-paragraphs (3)(b) and (4) of paragraph 52;
- (x) sub-paragraphs (4)(b)(ii) and (iii) of paragraph 57;
- (xi) sub-paragraphs (5)(b)(ii) and (iii) of paragraph 65;
- (xii) sub-paragraph (2)(c) of paragraph 71; and
- (xiii) paragraph 72 in so far as it omits paragraph 27 of Schedule 18 to the 2003 Act.
- (y) Schedule 5 (tier 1 services: chapter to be inserted as chapter 3 of part 4A of the 2003 Act);
- (z) Schedule 6 (tier 1 services: further amendments of part 4A of the 2003 Act);
- (z1) Schedule 7 (tier 1 services: amendments of other legislation);
- (z2) Schedule 8 (other amendments of part 4A of the 2003 Act);
- (z3) Schedule 9 (part 6: further amendments);
- (z4) Schedule 10 (schedule to be inserted as schedule 16A to the 2003 Act);
- (z5) Schedule 11 (schedule to be inserted as schedule 16B to the 2003 Act);
- (z6) Schedule 12 (amendments related to the UK’s withdrawal from the EU).
- (2) For the purposes of paragraph (1)(h)(ii)—
 - (a) “internet programme service” has the meaning given by section 362AA(10) of the 2003 Act(a); and
 - (b) section 362AZ12(6) of the 2003 Act (meaning of references to a person associated with a public service broadcaster)(b) applies as it applies for the purposes of Part 3A of the 2003 Act.

Provisions coming into force for specific purposes only on 23rd August 2024

3. The provisions of the 2024 Act specified in column 1 of the Schedule come into force on 23rd August 2024 only for the purposes specified in relation to those provisions in column 2 of the Schedule.

Provisions coming into force linked to commencement of provisions of the 2003 Act

4. The following provisions of the 2024 Act come into force as follows—
- (a) sub-paragraph (2) of paragraph 12 of Schedule 2 and sub-paragraph (b) of paragraph 23 of Schedule 4 come into force on the date on which section 299(1) of the 2003 Act comes into force;
 - (b) paragraph 53 of Schedule 4 comes into force on the date on which paragraph 5 of Schedule 12 to the 2003 Act comes into force; and
 - (c) paragraph 54 of Schedule 4 comes into force on the date on which paragraph 6 of Schedule 12 to the 2003 Act comes into force.

15th August 2024

Stephanie Peacock
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

(a) 2003 c. 21: section 362AA(10) was inserted by the Media Act 2024 (c. 15), section 28(1).
 (b) 2003 c. 21: section 362AZ12(6) was inserted by the Media Act 2024 (c. 15), section 28(1).

SCHEDULE

Regulation 3

Provisions coming into force for specified purposes only on 23rd August 2024

Column 1	Column 2
<ul style="list-style-type: none"> (a) Subsections (1), (2), (4) and (5) of section 1 (reports on the fulfilment of the public service remit); (b) Section 3 (public service remits of licensed providers); (c) Section 4 (statements of programme policy); (d) Section 5 (changes of programme policy); (e) Section 8 (quotas: independent productions); (f) Section 9 (quotas: original productions); (g) Section 11 (quotas: meaning of “qualifying audiovisual content” etc); (h) Section 12 (quotas: further provision about their fulfilment); (i) Section 13 (quotas: independent productions: commissioning code); (j) Section 14 (regional programme-making: Channels 3, 4 and 5); (k) Section 15 (networking arrangements for Channel 3); (l) Section 17 (quotas: the BBC and S4C) in so far as it applies to paragraphs 3 and 4 of Schedule 1; (m) Section 30 (C4C’s duties in relation to commissioning programmes); (n) Paragraphs 3 and 4 of Schedule 1 (quotas: the BBC and S4C); and (o) Paragraph 23 of Schedule 2 (part 1: further amendments) 	<p>For the purposes of—</p> <ul style="list-style-type: none"> (a) enabling the gathering of information and imposition of penalties by OFCOM under sections 338A and 338B of the 2003 Act^(a); (b) enabling preparatory work by OFCOM for the coming into force for all purposes of the provisions listed in column 1 including, but not limited to— <ul style="list-style-type: none"> (i) consultation; (ii) the variation by OFCOM of licences to provide a television broadcasting service under Part 1 of the Broadcasting Act 1990^(b) and Part 3 of the 2003 Act; (iii) the issue of directions by OFCOM to S4C; and (iv) the issuing or revision of relevant guidance by OFCOM.

^(a) 2003 c. 21: sections 338A and 338B were inserted by the Media Act 2024 (c. 15), section 18.

^(b) 1990 c. 42.

Column 1	Column 2
Paragraph 23 of Schedule 2 (part 1: further amendments)	For the purposes of preparation by OFCOM for the coming into force of the provisions of section 28 listed in sub-paragraphs (h)(i) to (vii) of regulation 2(1).
Subsections (1) to (8) of section 44 (local news and information)	For the purposes of consultation on and preparation of revised guidance by OFCOM under section 314 of the 2003 Act(a).
<ul style="list-style-type: none"> (a) Section 20 (categories of relevant service); (b) Section 21 (contracts relating to coverage of listed events); (c) Section 22 (restriction on showing live coverage of listed events); and (d) Paragraphs 12 to 16 and 19 of Schedule 2 (part 1: further amendments) 	<p>For the purposes of—</p> <ul style="list-style-type: none"> (a) enabling the gathering of information and imposition of penalties by OFCOM under sections 104A and 104B of the 1996 Act(b); (b) enabling OFCOM to draw up a code under section 104 of the 1996 Act (in accordance with section 25(4) of the 2024 Act); and (c) enabling the making of regulations by OFCOM under section 104ZA of the 1996 Act(c).

(a) 2003 c. 21: section 314 was amended by the Media Act 2024 (c. 15), section 44.

(b) 1996 c. 55: section 104A was amended and section 104B inserted by the Media Act 2024 (c. 15), section 24.

(c) 1996 c. 55: section 104ZA was amended by the Media Act 2024 (c. 15), section 23.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These are the first Commencement Regulations made under the 2024 Act (c. 15) (“the Act”). They bring into force on 23rd August 2024 all of the provisions of the Act except for—

- (a) the following provisions that are commenced partially—
 - (i) section 25 (sections 20 to 24: further provision);
 - (ii) section 28 (prominence on television selection services);
 - (iii) section 48 (regulations of radio selection services);
 - (iv) schedule 2 (part 1: further amendments); and
 - (v) schedule 4 (chapter 2 of part 3: minor and consequential amendments);
- (b) the provisions listed in column 1 of the Schedule introduced by Regulation 3, which are commenced for specified purposes only as detailed in column 2 of the Schedule; and
- (c) the following provisions that are not commenced at all—
 - (i) section 2 (OFCOM reports: wider review and reporting obligations);
 - (ii) section 6 (enforcement of public service remits);
 - (iii) section 7 (power to amend public service remit for television in the United Kingdom);
 - (iv) section 10 (power to create additional quotas for qualifying audiovisual content);
 - (v) section 19 (amount of financial penalties: qualifying revenue);
 - (vi) section 32 (S4C’s powers and public service remit);
 - (vii) section 41 (licensing of analogue radio services);
 - (viii) section 42 (licensing and local services);
 - (ix) section 43 (character of local services);
 - (x) section 45 (financial assistance for radio);
 - (xi) section 46 (licensing of non-UK digital sound programme services); and
 - (xii) section 47 (radio multiplex licences).

The provisions specified in section 55(1) of the Act came into force on the day which it was passed, and section 50 came into force in accordance with section 55(2).

Regulation 4 provides for linked commencement where provisions of the Act make amendments to legislation that is subject to amendments made by the Communications Act 2003, but which have not been commenced yet. This will ensure that the amendments made by the Act will come into effect at the correct time.

A full impact assessment has been published in relation to the Act and copies can be obtained from the UK Parliament website at <https://bills.parliament.uk/bills/3505/publications> or from the Department for Culture, Media and Sport at 100 Parliament Street, London, SW1A 2BQ, United Kingdom.

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