

Media Bill, As Amended

(Amendment Paper)

This document lists all amendments tabled to the Media Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

All references relate to the large font accessible version of the Bill.

Hywel Williams

NC1

To move the following Clause—after subsection (1)(d) insert—after subsection (3)(d) insert—after subsection (1)(d) insert—

**“Evaluation of nations-based
production**

- (1) The Communications Act 2003 is amended as follows.

- (2) In section 286 (regional programme-making for Channels 3 and 5)—
- (a) in subsection (1)(d), at end insert “except where the company is a new start-up and has registered itself as being primarily based in that nation”;
 - (b) after subsection (1)(d) insert—
 - “ “(e)Ofcom must require a broadcaster listing a production as being based in Northern Ireland, Scotland or Wales to demonstrate prior to production that a production company has—
 - (i) a substantial base (consisting of a specified number of staff) within the nation;
 - (ii) a commitment to remain within the nation for a specified amount of time;

(iii) had a presence within the nation for at least 36 months.” ”;

(c) in subsection (3)(d), at end insert “except where the company is a new start-up and has registered itself as being primarily based in that nation.”;

(d) after subsection (3)(d) insert—

“ “(e)Ofcom must require a broadcaster listing a production as being based in Northern Ireland, Scotland or Wales to demonstrate prior to production that a production company has—

- (i) a substantial base (consisting of a specified number of staff) within the nation;
- (ii) a commitment to remain within the nation for a specified amount of time;

(iii) had a presence within the nation for at least 36 months.” ”

(3) In section 288 (Regional programme-making for Channel 4)—

(a) in subsection (1)(d), at end insert “except where the company is a new start-up and has registered itself as being primarily based in that nation.”;

(b) after subsection (1)(d) insert—

“ “(e)Ofcom must require a broadcaster listing a production as being based in Northern Ireland, Scotland or Wales to demonstrate prior to production that a production company has—

(i) a substantial base (consisting of a specified number of staff) within the nation;

- (ii) a commitment to remain within the nation for a specified amount of time;
- (iii) had a presence within the nation specified for at least 36 months.” ”

John Penrose

NC2

To move the following Clause—In section 319 (OFCOM’s standards code), after subsection (1), insert—

“Special applicability of OFCOM’s standards code to digital platforms

- (1) The Communications Act 2003 is amended as follows.
- (2) In section 319 (OFCOM’s standards code), after subsection (1), insert—
 - “ (1A) Special content standards shall also apply to a “user-to-user-service”, as defined in section 3(1) of the Online Safety Act, when such services are designated by OFCOM.

(1B) OFCOM may only designate the services in para (1A) if they select or prioritise particular—

- (a) User-generated content
- (b) News-publisher content, or
- (c) Comments and reviews on provider content

(1C) “Special content standards” means only the Duties of Due Impartiality and of Undue Prominence of Views and Opinions as per the OFCOM Broadcasting code.” ”

George Eustice

NC3

To move the following Clause—

“Consultation on section 50

(1) Within six months of the passage of this Act, the Secretary of State must publish a call for evidence seeking views on alternative incentives to encourage publishers or regulators to seek recognition under the

terms of the Royal Charter for the Self-Regulation of the Press.

- (2) The Secretary of State must lay before both Houses of Parliament a report setting out the Government's formal response to evidence submitted in response to the call for evidence required by subsection (1).
- (3) The Secretary of State may not make an order under section 55(3) (ga) bringing any part of section 50 into force until the report specified in subsection (2) has been laid before both Houses of Parliament.”

Member's explanatory statement

See explanatory statement to Amendment 3.

Jamie Stone

NC4

To move the following Clause—

“OFCOM review of on-demand programme service regulation measures

- (1) As soon as practicable after Chapter 2 of this Act comes into force, OFCOM must carry out a review of its on-demand programme service regulation measures.
- (2) This review must take account of—
 - (a) the size, and
 - (b) the turnoverof the services to which these regulations apply and assess whether the current application of the regulations is the most effective means to achieve the policy goals of this Chapter.
- (3) In conducting the review described in subsection (2), OFCOM must consult with relevant stakeholders, including public service broadcasters, on-demand programme service

providers and any other stakeholders as appropriate.”

Member's explanatory statement

This would require OFCOM to conduct a review of the Bill's new on-demand regulatory code. The review must take account of the sizes and turnovers of the regulated services, and assess whether the current regulatory approach is effective in achieving the policy goals of the Bill. The review would have to be conducted in consultation with relevant stakeholders.

Jamie Stone

NC5

To move the following Clause—

“Strategic litigation against public participation

- (1) A claim brought against a publisher of news-related material may be struck out before trial where the court determines that the claim is a Strategic litigation against public participation (SLAPP) claim.
- (2) For the purposes of subsection (1) a claim is a “SLAPP claim” if—

- (a) the claimant's behaviour in relation to the matters complained of in the claim has, or is intended to have, the effect of restraining the defendant's exercise of the right to freedom of speech,
- (b) any part of that disclosure is or would be made for a purpose related to the public interest, and
- (c) any of the behaviour of the claimant in relation to the matters complained of in the claim is intended to cause the defendant—
 - (i) harassment, alarm or distress;
 - (ii) expense; or
 - (iii) any other harm or inconvenience, beyond that ordinarily encountered in the course of properly conducted litigation.”

Member's explanatory statement

This would prevent news publishers from being targeted by strategic litigation against public participation (SLAPPs).

Miriam Cates

NC6

To move the following Clause—

“Age rating standards

Where Tier 1 providers use an age rating or other classification system to comply with the duties imposed on them by or under this Act for the protection of audiences from harm, they must—

- (a) apply the age rating or classification system used by the video works authority based on their classification guidelines; or
- (b) apply an age rating or classification system that is judged by OFCOM to be—
 - (i) based on a transparent set of appropriate standards;
 - (ii) applied consistently across content; and

(iii) informed by regular consultation with the UK public.”

Member's explanatory statement

This new clause ensures that, where age ratings are used by Video on Demand platforms, those ratings are the same as the ones used by the British Board of Film Classification or meet equivalent standards of rigour, transparency, and objectivity.

Sir Peter Bottomley

NC7

To move the following Clause—

“Adequate on-demand coverage to be available

After section 101 of the Broadcasting Act 1996, insert—

“101ZAProvision of adequate on-demand coverage

- (1) The purpose of this section is to secure, in relation to a listed event, that if any person makes available on-demand coverage of the whole or any part of that event, adequate on-demand

coverage is made available widely and free of charge to members of the public in the United Kingdom, whether by that person or another person.

- (2) In this Part, in relation to a listed event or part of such an event, “on-demand coverage” means audiovisual content consisting of coverage of, or excerpts from, that event (or a combination of those), where—
- (a) a person makes a range of such content available to members of the public, whether through a relevant service or otherwise;
 - (b) selections from that range can be made by the user and viewed at a time chosen by the user (even if it may be viewed only within a period specified by the person making it available);
 - (c) the selected content is received by the user by means of the internet; and

(d) the content otherwise meets any criteria or requirements specified (either generally or in relation to particular listed events) by regulations under section 104ZA;

and “on-demand rights” means rights to make on-demand coverage available for access by members of the public in the United Kingdom.

(3) Any contract entered into on or after the day on which section [Adequate on-demand coverage to be available] of the Media Act 2024 comes into force under which a person acquires on-demand rights is void so far as it purports—

(a) in relation to the whole or any part of the event, or

(b) in relation to access by means of the internet, in the United Kingdom,

to grant those rights exclusively.

- (4) For the purposes of this section, on-demand rights are granted exclusively if the person granting them—
 - (a) has not granted any such right in respect of the whole or, as the case may be, that part of the event to more than one person, and
 - (b) is precluded by the terms of the contract from doing so.
- (5) For the purposes of subsection (4) (a), rights are not to be treated as having been granted to more than one person where the only persons to whom such rights have been granted are connected with each other.
- (6) No person may provide on-demand coverage of a listed event unless authorised to do so under subsection (7), (8) or (9), even if that person is authorised to include live coverage of that event in a relevant service by subsection (2), (3) or (4) of section 101.

- (7) The provision of on-demand coverage of a listed event is authorised by this subsection if—
- (a) on-demand rights have been acquired by the provider of a relevant service falling within section 98(1)(a);
 - (b) that relevant service includes live coverage of that event; and
 - (c) the on-demand coverage provided that provider—
 - (i) constitutes adequate on-demand coverage of the event, and
 - (ii) may be accessed free of charge.
- (8) The provision of on-demand coverage of a listed event is authorised by this subsection if—
- (a) on-demand rights have been acquired by one or more persons;
 - (b) those persons are not connected with each other;

(c) the on-demand coverage provided by at least one of those persons—

(i) constitutes adequate on-demand coverage of the event, and

(ii) may be accessed free of charge;

and

(d) the person or persons who have acquired rights to provide the adequate on-demand coverage satisfy the requirements in relation to that coverage of any regulations made under section 104ZA for the purposes of this paragraph.

(9) The provision of on-demand coverage of a listed event is authorised by this subsection if OFCOM have consented in advance to such provision.

(10) OFCOM may revoke any consent given by them under subsection (9).

(11) The code drawn up by OFCOM under section 104 shall include guidance

on the matters which they will take into account in determining whether to give or revoke their consent for the purposes of subsection (9).

(12) Regulations under section 104ZA (regulations about coverage of listed events) may include provision—

- (a) specifying (either generally or in relation to particular listed events) any criteria or requirements that content must meet in order to be regarded as on-demand coverage for the purposes of subsection (2)(d);
- (b) for determining for the purposes of this section what (whether generally or in relation to particular circumstances) is to be taken to represent the provision of adequate on-demand coverage of an event for the purposes of subsection (8)(d).

- (13) Failure to comply with subsection (6) shall not affect the validity of any contract.
- (14) Subsection (6) shall not have effect where the person providing the on-demand coverage is exercising on-demand rights acquired before the commencement of this section.
- (15) In this section, “on-demand coverage” and “adequate on-demand coverage” are to be construed in accordance with regulations under section 104ZA.
- (16) For the purposes of sections 104A (provision of information) and 104B (penalties for failure to provide information), any person making available, or wishing to make available, on-demand coverage of the whole or any part of any listed event shall be treated as a person who is within subsection (5) of section 104A.””

Member's explanatory statement

This new clause would secure that, where possible, adequate on-demand coverage of listed events, such as clips and excerpts, is made available free of charge to audiences in the United Kingdom.

Douglas Ross

NC8

To move the following Clause—

“Protection of digital terrestrial television

- (1) The Secretary of State shall ensure that—
 - (a) the licensed public service channels continue to be broadcast via digital terrestrial television to as many of their intended audience as is reasonably practicable; and
 - (b) a sufficient number of digital terrestrial television multiplex licences are issued to deliver the licensed public service channels via digital terrestrial television and support a diverse range of commercial digital terrestrial television channels.

- (2) OFCOM shall reserve sufficient frequencies for television broadcasting services accordingly.”

Member's explanatory statement

This new clause would place a responsibility on the Secretary of State to ensure that public service television channels continue to be broadcast via digital terrestrial television (DTT) and that sufficient licences are issued to keep the platform viable. It would also require Ofcom to make spectrum available accordingly.

Thangam Debbonaire

NC9

To move the following Clause—

“Review of children’s access to public service broadcast content

Within six months of the passage of this Act, the Secretary of State must prepare and publish a report on how to ensure that children have access to public service broadcast content.”

Member's explanatory statement

This new clause would require a review of how to ensure children have access to public service content, given their viewing habits.

Thangam Debbonaire

NC10

To move the following Clause—

“Digital rights to listed events

- (1) The Secretary of State may by regulations amend the Broadcasting Act 1996 to make provision for coverage of listed events which is not live coverage.
- (2) 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.”

Thangam Debbonaire

NC11

To move the following Clause—After section 264A of the Communications Act 2003, insert—

“Delivery of public service content on relevant television services

After section 264A of the Communications Act 2003, insert—

“ “264B Delivery of public service content on relevant television services

- (1) OFCOM must monitor the extent to which the public service remit for television in the United Kingdom is met in respect of relevant television services.
- (2) If OFCOM considers that the public service remit for television in the United Kingdom is not being met in respect of such services, it may set whatever programming quotas it considers necessary to ensure that the remit is met.
- (3) For the purposes of this section, “relevant television services” means—
 - (a) the television broadcasting services provided by the BBC;

- (b) the television programme services that are public services of the Welsh Authority (within the meaning of section 207);
- (c) every Channel 3 service;
- (d) Channel 4;
- (e) Channel 5.” ”

Member's explanatory statement

This new clause would give OFCOM powers to measure the delivery of public service content on the linear services of the public service broadcasters, and set quotas if it considered the current level to be unsatisfactory.

Thangam Debbonaire

NC12

To move the following Clause—

“Regulation of selection services for on demand and online-only content

- (1) Within three months of the passage of this Act, the Secretary of State must by regulations provide for the regulation of selection services for on demand and online-only content

equivalent to the regulation of radio selection services provided for by section 48 and Schedule 9 of this Act.

- (2) Regulations under subsection (1) may amend primary legislation.”

Thangam Debbonaire

NC13

To move the following Clause—

“Gaelic language service

The Secretary of State must, within six months of the passage of this Act, review whether a Gaelic language service should be given a public service broadcast remit.”

Thangam Debbonaire

NC14

To move the following Clause—

“Age Classifications

When considering the adequacy of age ratings, OFCOM must assess whether any age ratings used by providers are—

- (a) widely recognised by the UK public;
- (b) underpinned by a transparent set of standards;
- (c) informed by regular consultation with the UK public.”

Hywel Williams

NC15

To move the following Clause—

“Establishing a Broadcasting and Communications Authority for Wales

- (1) A Broadcasting and Communications Authority for Wales (“the Authority”) is established.
- (2) The Authority must perform the following functions—
 - (a) support for the broadcasting and media sectors serving audiences in Wales;
 - (b) oversight and accountability for public service broadcasting in Wales;

- (c) facilitation and development of the production of content by broadcaster and media outlets in Wales;
 - (d) promotion and preservation of the Welsh language, identity and culture in broadcasting and media output;
 - (e) support for and development of English language content made in Wales and ensuring that it is relevant to Welsh audiences; and
 - (f) any functions the Secretary of State considers necessary to support further devolution of broadcasting policy to the Welsh Government.
- (3) In performing the functions under subsection 2 the Authority must have regard to—
- (a) public interest journalism;
 - (b) content for children and young people; and

- (c) sport content and national events.
- (4) In performing the duties under subsection (2) in relation to broadcasting and media matters in Wales, the Authority must consult—
 - (a) relevant Ministers in the Welsh Government;
 - (b) Members of the Senedd; and
 - (c) members of the public living in Wales.
- (5) Section 1 comes into force at the end of the period of 12 months beginning with the day on which this Act is passed.
- (6) In preparation for the establishment of the Authority a shadow authority may be established in line with the functions set out in subsection 2 after the passing of this Act.
- (7) The Secretary of State must by regulations make provision for the appointment of officers to the Authority.”

Member's explanatory statement

This new clause creates a new independent Welsh Broadcasting and Communications Authority with responsibility and oversight for broadcasting and media matters in Wales to help reflect and meet the needs of Welsh audiences.

Gavin Newlands

NC16

To move the following Clause—In section 97 (as amended by section 299 of the Communications Act 2003), after subsection (1B) insert—

“Listed Events

(1) The Broadcasting Act 1996
is amended as follows.

(2) In section 97 (as amended by section 299 of the Communications Act 2003),
after subsection (1B) insert—

“(1A) The following events must
be included in Group A of the list
drawn up under subsection (1)—

- (a) the Olympic Games;
- (b) the Paralympic Games;
- (c) the FIFA World Cup
Finals Tournament;

- (d) the FIFA Women's World Cup Finals Tournament;
- (e) the European Football Championship Finals Tournament;
- (f) the European Women's Football Championship Finals Tournament;
- (g) the FA Cup Final;
- (h) the Scottish FA Cup Final;
- (i) the Grand National;
- (j) the Wimbledon Tennis Finals;
- (k) the Rugby Union World Cup Final;
- (l) Six Nations Rugby Tournament Matches Involving Home Countries;
- (m) the Derby;
- (n) the Rugby League Challenge Cup Final;
- (o) any match involving the national teams of Scotland, Wales, Northern Ireland or England pertaining to qualification for

the events listed in paragraphs (c), (d), (e) and (f).” ”

Member's explanatory statement

This new clause would make it compulsory for the Secretary of State to place the list of sporting events in Group A of listed sporting events, ensuring they are available on free to air television in their entirety. The events consist of all current Group A events plus the home nations World Cup and Euro qualifiers.

Gavin Newlands

NC17

To move the following Clause—In section 97(2), after paragraph (b), insert—In section 104(4), after paragraph (b), insert—

“Consultation on listing of events

(1) The Broadcasting Act 1996 is amended as follows.

(2) In section 97(2), after paragraph (b), insert—

“ “(ba) Seirbheis nam Meadhanan Gàidhlig (the Gaelic Media Service),” ”

(3) In section 104(4), after paragraph (b), insert—

“ “(ba) Seirbheis nam Meadhanan Gàidhlig (the Gaelic Media Service),” ”

Member's explanatory statement

This new clause would add Seirbheis nam Meadhanan Gàidhlig (the Gaelic Media Service) to the list of organisations which must be consulted when the Secretary of State is drafting or amending listed events and Ofcom is drawing up its related code of guidance.

Gavin Newlands

NC18

To move the following Clause—After section 104ZA insert—

“Listed Events Fund

(1) The Broadcasting Act 1996 is amended as follows.

(2) After section 104ZA insert—

“ “104ZB Financial matters arising from the listing of events: the Listed Events Fund

- (1) The Secretary of State shall establish a fund (the “Listed Events Fund”) with the purpose of minimising the consequential financial impact of the listing of events on sporting governing bodies who would otherwise suffer egregious financial distress.
- (2) Payments from the fund shall be limited to governing bodies and other sporting rights holders who maintain their registered office in Scotland, Wales, Northern Ireland or England and whose primary geographic area of responsibility lies within one of these territories.
- (3) The Secretary of State, following the revision of the listing of events in Group A, shall invite governing bodies and other organisations who could reasonably assess their turnover or income as dropping as a result of an

event being listed in Group A (and who qualify under the provisions of subsection (2) of this section) to apply to him for payment from the fund.

- (4) No organisation with a reported turnover of greater than £50 million per annum for the financial year in which any subvention may be paid shall be entitled to payment from the fund.
- (5) The amount laid down in subsection (4) may be varied by the Secretary of State on an annual basis, but may not increase by a rate greater than that of the Retail Price Index as measured at any point in the three months previous to any proposed variation.” ”

Member's explanatory statement

This new clause would provide a fund under the auspices of the Secretary of State to be paid to governing bodies or other broadcasting rights holders who may experience financial detriment as a result of listing under Group A.

To move the following Clause—

“Diversity in the workforce of the public service broadcasters

- (1) OFCOM must produce a report each year detailing diversity in the workforce of the public sector broadcasters (“PSBs”).
- (2) The report under subsection (1) must include—
 - (a) a breakdown by protected characteristic of the numbers of people in the workforce of each PSB;
 - (b) the percentage of the workforce on and offscreen who have various protected characteristics as deemed relevant by OFCOM;
 - (c) if the percentages reported under paragraph (b) are not reflective of the population as a whole or on a regional basis, a statement from each broadcaster

on how they intend to increase diversity in their organisation.

- (3) OFCOM may request any information they require from the PSBs in order to compile the report under subsection (1).
- (4) Provision of data to enable OFCOM to produce the report under subsection (1) is to be considered by OFCOM when it assesses the extent to which a PSB has fulfilled its public service broadcasting remit.”

Member's explanatory statement

This new clause would require OFCOM to produce an annual report on workforce diversity within the PSBs.

Kirsty Blackman

NC20

To move the following Clause—

“On-demand programme services

- (1) OFCOM must report to the Secretary of State each year on the percentage of people who are watching on-

demand services that do not fall under the definition of on-demand programme services in section 368A of the Communications Act.

- (2) If OFCOM reports concern that the definition is not providing protection for public service broadcasters on on-demand services that are being widely accessed by the public—
 - (a) OFCOM must write to the Secretary of State, and
 - (b) the Secretary of State must make a written statement to Parliament on how the Secretary of State intends to remedy this matter.”

Member's explanatory statement

This new clause would require OFCOM and the Secretary of State to keep under review the adequacy of the definition of on-demand programme services in section 368A of the Communications Act 2003.

John McDonnell

NC21

To move the following Clause—

“Delivery of public service content on relevant television services

After section 264A of the Communications Act 2003, insert—

“ “264B Delivery of public service content on relevant television services

- (1) Ofcom must monitor the extent to which the public service remit for television in the United Kingdom is met in respect of relevant television services, including level of programming from a diverse range of genres including, among others, education, entertainment, music, arts science, sports matters of international significance, religion and specialist interests.
- (2) If Ofcom considers that the public service remit for television in the United Kingdom is not being met in respect of such services, it may set whatever programming quotas it considers necessary to ensure that the remit is met.

- (3) It is the duty of relevant television broadcasting services to prepare and publish a statement annually on their performance in the provision of public service content.
- (4) For the purposes of this section, “relevant television services” means—
 - (a) the television broadcasting services provided by the BBC;
 - (b) the television programme services that are public services of the Welsh Authority (within the meaning of section 207);
 - (c) every Channel 3 service;
 - (d) Channel 4;
 - (e) Channel 5.” ”

Member's explanatory statement

This new clause would give Ofcom powers to measure the delivery of public service content on the linear services of the public service broadcasters, and set quotas if it considered the current level to be unsatisfactory.

To move the following Clause—

“Duty to report on workforce diversity and equality requirement

- (1) Public service broadcasters (“PSBs”) must prepare and publish a statement on a workforce diversity and equality strategy within the period of one year beginning with the day on which this Act is passed.
- (2) A workforce diversity and equality strategy must comprise a plan setting out how PSBs are taking appropriate steps towards improving diversity and equality within the workforce in the period covered by the plan, which must cover not more than three years.
- (3) In particular, a workforce diversity and equality strategy must state a PSB’s objectives and priorities for the period it covers.
- (4) A workforce diversity and equality strategy must include a summary and

an evaluation of the activities and initiatives pursued or commissioned by a PSB in the exercise of its functions under subsection (1) in the period to which the strategy relates.

- (5) Before the end of the period covered by a workforce diversity and equality strategy, PSBs must prepare and publish a strategy for a further period, ensuring that each successive strategy covers a period beginning immediately after the end of the last one.
- (6) In preparing or revising a workforce diversity and equality strategy, a PSB must consult such persons as they consider appropriate.
- (7) OFCOM must prepare and publish a report on workforce diversity and equality strategy statements produced by PSBs set out in subsection (1), in particular—
 - (a) summarising what actions a PSB is planning and taking

- in the exercise of its strategy under subsections (1) to (3);
- (b) assessing what progress has been made towards achieving the objectives and priorities set out in a strategy in the relevant period.
- (8) The first annual report by OFCOM on workforce diversity and equality is required to be published within a period of 18 months beginning with the day on which this Act is passed.
- (9) OFCOM must prepare and publish subsequent reports on PSBs' strategies and progress against them every three years thereafter.”

Member's explanatory statement

This new clause introduces a requirement for PSBs to publish objectives on the promotion of diversity and equality among the workforce and for Ofcom to monitor and report on PSB performance on meeting this requirement.

John McDonnell

NC23

To move the following Clause—

“Duty to report on media literacy requirement

- (1) Public service broadcasters (“PSBs”) must prepare and publish a statement on a media literacy strategy within the period of one year beginning with the day on which this Act is passed.
- (2) A media literacy strategy is a plan setting out how PSBs are taking appropriate steps towards improving levels of media literacy among audiences in the period covered by the plan, which must be not more than three years.
- (3) In particular, a media literacy strategy must state a PSB’s objectives and priorities for the period it covers.
- (4) A media literacy statement must include a summary and an evaluation of the activities and initiatives pursued or commissioned by the PSB in the exercise of their functions under section (1) in the period to which the report relates.

- (5) Before the end of the period covered by a media literacy strategy, PSBs must prepare and publish a strategy for a further period, ensuring that each successive strategy covers a period beginning immediately after the end of the last one.
- (6) In preparing or revising a media literacy strategy, a PSB must consult such persons as they consider appropriate.
- (7) OFCOM must prepare and publish a report of the media literacy strategy statements set out in subsection (1), in particular—
 - (a) summarising what actions a PSB is planning and taking in the exercise of its strategy under subsections (1) to (3);
 - (b) assessing what progress has been made towards achieving the objectives and priorities set out in a strategy in the relevant period.
- (8) The first annual report by OFCOM on media literacy is required to

be published within a period of 18 months beginning with the day on which this Act is passed.

- (9) OFCOM must prepare and publish subsequent report on PSBs' strategies and progress against them every three years thereafter.”

Member's explanatory statement

This new clause introduces a requirement for PSBs to take appropriate steps in relation to improving levels of media literacy among their audiences and for Ofcom to monitor and report on PSB performance on meeting this requirement.

John McDonnell

NC24

To move the following Clause—

“Duty to report on viewer and listener consultation requirements

- (1) Public service broadcasters (“PSBs”) must prepare and publish a viewer and listener consultation strategy (“consultation strategy”) within the

period of one year beginning with the day on which this Act is passed.

- (2) A consultation strategy is a plan setting out how PSBs are taking appropriate steps towards improving levels of engagement with audiences in the period covered by the plan, which must be not more than three years.
- (3) In particular, a consultation strategy must state a PSB's objectives and priorities for the period it covers.
- (4) A consultation strategy must include a summary and an evaluation of the activities and initiatives pursued or commissioned by the PSB in the exercise of their functions under section (1) in the period to which the report relates.
- (5) Before the end of the period covered by an audience consultation strategy, PSBs must prepare and publish a strategy for a further period, ensuring that each successive strategy covers

a period beginning immediately after the end of the last one.

- (6) In preparing or revising a media literacy consultation strategy, PSBs must consult such persons as they consider appropriate.
- (7) OFCOM must prepare and publish a report assessing PSBs' consultation strategies, in particular—
 - (a) summarising what actions a PSB is planning and taking in the exercise of its strategy, and
 - (b) assessing what progress has been made towards achieving the objectives and priorities set out in a strategy in the relevant period.
- (8) The first annual report by OFCOM on PSBs' consultation strategies must be published within a period of 18 months beginning with the day on which this Act is passed.
- (9) OFCOM must prepare and publish subsequent reports on PSBs'

strategies and progress against them every three years thereafter.”

Member's explanatory statement

This new clause introduces a requirement for PSBs to produce a strategy and objectives for increasing levels of consultation with user listeners and for Ofcom to monitor and report on PSB performance on meeting this requirement.

Kirsty Blackman

81

Clause 1, page 6, line 5, at end insert—

“(iii) a sufficient quantity of audiovisual content so as to permit fulfilment of the public service remit for television in the Gaelic language as spoken in Scotland”

Member's explanatory statement

This amendment would require OFCOM to report on whether a sufficient quantity of audiovisual content in Gaelic is televised to meet the public service remit for television.

Clause 1, page 7, line 17, at end insert—

“(5A) In assessing the extent to which the requirements of subsection (5)(b)(i) have been met OFCOM must have particular regard to the importance of content recognising the culture and heritage of those parts of the United Kingdom recognised under the Council of Europe Framework Convention for the Protection of National Minorities.”

Member's explanatory statement

This amendment requires OFCOM to have regard to the Council of Europe's Framework Convention for the Protection of National Minorities when reporting on the fulfilment of the public service remit through audiovisual content by the public service broadcasters.

Clause 1, page 7, line 23, leave out from “appropriate” to end and insert “level of programming from a diverse range of genres including, among others, education, entertainment, music, arts science, sports matters of international significance, religion and specialist

interests.”

Member's explanatory statement

This amendment would add detailed description of the range of genres which Ofcom must report on whether the public service broadcasters have made available.

Secretary Lucy Frazer

Gov 19

Clause 2, page 18, line 22, at end insert—

“(2A) In subsection (2)(b) and (c), for
“objectives” substitute “requirements”.”

Member's explanatory statement

This amendment secures that section 264A(2) of the Communications Act 2003 refers to “public service requirements”.

Gavin Newlands

79

Clause 3, page 20, line 22, at end insert—

“(c) which is broadcast via UHF
frequencies that can be received
by a minimum of 98.5% of the
population of the United Kingdom.”

Member's explanatory statement

This amendment amends the definition of public service for Channel 3 and Channel 5 to include an obligation to broadcast via digital terrestrial television, on the basis of the already existing licence requirements applying to PSB DTT multiplexes.

Gavin Newlands

80

Clause 3, page 22, line 11, at end insert—

“(d) which is broadcast via UHF frequencies that can be received by a minimum of 98.5% of the population of the United Kingdom.”

Member's explanatory statement

This amendments amends the definition of public service for Channel 4 to include a obligation to broadcast via digital terrestrial television, on the basis of the already existing licence requirements applying to PSB DTT multiplexes.

Kirsty Blackman

82

Clause 8, page 28, line 2, at end insert—

“(c) a duration such as OFCOM considers appropriate of those independent productions

are commissioned from
smaller studios”

Member's explanatory statement

This amendment would require OFCOM to require licensed public service channel regulatory conditions to include commissioning from smaller studios.

Kirsty Blackman

83

Clause 8, page 28, line 2, at end insert—

“(1A) The regulatory regime for Channel 4 includes the conditions that OFCOM consider appropriate for securing that, in each year, not less than 35% per cent of Channel 4's total expenditure on qualifying audiovisual content is allocated to independent productions made by independent production companies with annual turnover not exceeding £25,000,000.

(1B)The Secretary of State may by regulations amend subsection (1A) by substituting a different figure for the annual turnover specified in that section.

- (1C) Before making regulations under subsection (1B), the Secretary of State must consult—
- (a) OFCOM,
 - (b) Channel 4, and
 - (c) independent production companies that are likely to be affected by the regulations.”

Member's explanatory statement

This amendment would require that at least 35% of Channel 4's annual expenditure on qualifying audiovisual content be allocated to productions made by independent producers with annual revenues smaller than £25m. It also provides the Secretary of State the power to amend, following consultation, the revenue figure defining the production companies to which the requirement applies.

Kirsty Blackman

84

Clause 8, page 29, line 18, before “commissioning” insert ““annual revenue” means the reported revenues published in the annual accounts of the respective independent production company, covering the most recently available period of 12 months;”

Member's explanatory statement

This amendment would insert a definition for the purposes of Amendment 83.

Kirsty Blackman

85

Clause 8, page 30, line 2, at end insert—

““independent production companies”
has the same meaning as in
the Broadcasting (Independent
Productions) Order 1991;”

Member's explanatory statement

This amendment would insert a definition for the purposes of Amendment 83.

Secretary Lucy Frazer

Gov 20

Clause 20, page 68, line 21, leave out “television programme services and internet programme” and insert “relevant”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 21

Clause 20, page 71, line 1, leave out “An internet programme” and insert “A relevant”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 22

Clause 20, page 71, line 3, after “is” insert “or forms part of”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 23

Clause 20, page 71, line 5, leave out first “the service” and insert “it”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 24

Clause 20, page 71, line 7, leave out second “the

service” and insert “it”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 25

Clause 20, page 71, line 9 leave out “an internet programme” and insert “a relevant”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 26

Clause 20, page 76, line 20, leave out internet programme” and insert “relevant”“

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 27

Clause 20, page 72, leave out lines 7 to 11 and insert—

“(a) television programme service;”

Member's explanatory statement

This amendment substitutes “television programme service”, a term that refers to the types of service in section 98(7)(a) to (c) of the Broadcasting Act 1996, inserted by clause 20, and restricted services.

Secretary Lucy Frazer

Gov 28

Clause 20, page 72, leave out line 12

Member's explanatory statement

This amendment secures that relevant services are defined without reference to the concept of internet programme services.

Secretary Lucy Frazer

Gov 29

Clause 20, page 72, line 14, leave out from “service” to end of line 17

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 30

Clause 20, page 72, line 19, leave out from “service” to end of line 29 on page 73

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 31

Clause 20, page 74, line 4, leave out “an” and insert “a television programme service,”

Member's explanatory statement

This amendment is consequential upon Amendment 27.

Secretary Lucy Frazer

Gov 32

Clause 20, page 74, leave out lines 8 to 10

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 33

Clause 21, page 75, line 7, leave out from “force” to “for” in line 11 and insert “which grants rights to include

in a relevant service live coverage of the whole or any part of a Group A event”

Member's explanatory statement

This amendment secures that the amendments of section 99 of the Broadcasting Act 1996 are in terms of “granting rights”.

Secretary Lucy Frazer

Gov 34

Clause 21, page 76, line 16, after “service” insert “which—

- “(i) if the first relevant service forms part of an internet programme service, is also a service that does not form part of the same internet programme service, and
- (ii) is not a service that is separate from the first relevant service only because section 98(2B) applies to it”

Member's explanatory statement

This amendment secures that the other relevant service is not a relevant service that forms part of the same internet programme service and is not a separate relevant service only because of section 98(2B), inserted by clause 20(2).

Secretary Lucy Frazer

Gov 35

Clause 21, page 77, line 17, leave out “after “service” insert “or internet programme” and insert “for “television programme service” substitute “relevant”

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 36

Clause 22, page 78, line 20, after “(2),” insert “, ”

Member's explanatory statement

This amendment is consequential upon Amendment 37.

Secretary Lucy Frazer

Gov 37

Clause 22, page 78, leave out lines 21 to 23 on page 79 and insert—

- “(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(2B) 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.

(2A) 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(2B) 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.

(2B) 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) each of the second and further services is a television programme service, 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(2B) 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.”

Member's explanatory statement

This amendment alters substituted section 101 of the Broadcasting Act 1996 to include cases where the showing of an event is authorised by coverage in two or more relevant services and to make more specific provision about the coverage of multisport events.

Secretary Lucy Frazer

Gov 38

Clause 23, page 82, line 18, leave out “101(2)(a)(ii)”

and insert “101”

Member's explanatory statement

This amendment is consequential upon Amendment 37.

Secretary Lucy Frazer

Gov 39

Clause 23, page 83, line 2, at end insert—After subsection (2) insert—

“(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 number of television programme services in which the live coverage is included, 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(2B)(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).” ”

Member's explanatory statement

This amendment makes provision about the regulations that OFCOM may make under the power conferred by section 104ZA(1)(aa) of the Broadcasting Act 1996 (inserted by clause 23).

Secretary Lucy Frazer

Gov 40

Clause 25, page 91, line 6, at end insert—

- “(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.”

Member's explanatory statement

This amendment requires OFCOM to draw up a code under section 104 of the Broadcasting Act 1996, as amended by this Bill. It also provides for the old code to have effect until that new code comes into force and in relation to transitional cases.

Clause 25, page 91, line 7, at end insert—

“(4) 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 so that it includes—

- (a) at least one cricket test match each year between the months of May and September;
- (b) at least one cricket One Day International match each year between the months of May and September;
- (c) all other currently listed Group A events.

(5) The events listed under subsection (4) must be allocated to Group A.”

Clause 28, page 125, line 3, leave out “an appropriate” and insert “a significant”

Member's explanatory statement

This would require that designated internet programme services are given significant prominence within regulated television selection services.

Sir John Whittingdale

78

Clause 28, page 127, line 16, at end insert—

“(f) any local digital television programme service that OFCOM determines is willing and able to offer an internet programme service.”

Member's explanatory statement

This amendment includes local digital television services within the prominence framework for designated internet programme services where OFCOM determines a service is willing and able to offer such a service.

John McDonnell

87

Clause 28, page 129, line 10, leave out “an appropriate” and insert “a significant”

Member's explanatory statement

This amendment would require a provider of regulated television selection to give significant prominence to designated internet programme services.

Secretary Lucy Frazer

Gov 41

Clause 28, page 141, line 4, at end insert—

“(ga)the purpose of preparing or reviewing a code of practice under section 362AP (code of practice relating to duties under section 362AO);”

Member's explanatory statement

This amendment adds to the list of particular purposes for which information may be required by OFCOM.

Secretary Lucy Frazer

Gov 42

Clause 28, page 143, line 24 at end insert—

“(11A) In this section, a reference to the functions of OFCOM under this Part includes a reference to their functions under Schedules 16A and 16B, so far as relating to this Part.”

Member's explanatory statement

This amendment makes provision about the reference to OFCOM's functions under Part 3A in section 362AS of the Communications Act 2003.

Secretary Lucy Frazer

Gov 43

Clause 28, page 185, line 9, at end insert—

“(9A) In this section, a reference to the functions of OFCOM under this Part includes a reference to their functions under Schedules 16A and 16B, so far as relating to this Part.”

Member's explanatory statement

This amendment makes provision about references to OFCOM's functions under Part 3A in section 362AZ6 of the Communications Act 2003.

Secretary Lucy Frazer

Gov 44

Clause 28, page 194, line 5, at end insert “and (so far as relating to this Part)”

Member's explanatory statement

This amendment expands the reference to Part 3A in section 362AZ9(c) of the Communications Act 2003.

Secretary Lucy Frazer

Gov 45

Clause 28, page 194, line 10, after “Part” insert “or (so far as relating to this Part)”

Member's explanatory statement

This amendment applies section 362AZ10 to notices given by OFCOM under Schedule 16B, so far as relating to Part 3A.

Secretary Lucy Frazer

Gov 46

Clause 28, page 200, line 6, leave out from “service” to end of line 8 and insert “has the meaning given by ;”

Member's explanatory statement

This amendment corrects an error in section 362AZ12(1).

Secretary Lucy Frazer

Gov 47

Clause 30, page 209, line 6, after “service” insert “that is or forms part of a designated internet programme service”

Member's explanatory statement

This amendment limits the reference to on-demand programme services provided by C4C to those that are or form part of a designated internet programme service.

Secretary Lucy Frazer

Gov 48

Clause 30, page 209, line 8, after “service” insert “that is or forms part of a designated internet programme service”

Member's explanatory statement

This amendment limits the reference to non-UK on-demand programme services provided by C4C to those that are or form part of a designated internet programme service.

Secretary Lucy Frazer

Gov 49

Clause 30, page 209, line 13, at end insert—

“(4) In this section, “designated internet programme service” has the same meaning as in Part 3A (see section 362AZ12).”

Member's explanatory statement

This amendment is consequential on Amendments 47 and 48.

Page 212, line 7, leave out Clause 31

Member's explanatory statement

This would retain section 295 of the Communications Act 2003, which restricts C4C's involvement in programme-making.

Secretary Lucy Frazer

Gov 50

Clause 32, page 215, line 8, leave out "power" and insert "powers"

Member's explanatory statement

This amendment is consequential on Amendment 51.

Secretary Lucy Frazer

Gov 51

Clause 32, page 216, line 10, at end insert—

“(3A) S4C may do anything it considers appropriate in association with anything it does in exercise of the power in subsection (1).”

Member's explanatory statement

This amendment confers on S4C the power to do things other than providing audiovisual content where it considers it appropriate to do so in association with the provision of audiovisual content.

Sir Gary Streeter

18

Clause 38, page 241, line 13, at end insert—

“(4A) When considering the adequacy of age ratings, OFCOM must report on the extent to which any age ratings used by providers are—

- (a) clear and well understood by consumers;
- (b) underpinned by a published and transparent set of standards; and
- (c) informed by regular and substantive consultation with the UK public.”

Member's explanatory statement

This amendment sets conditions to be used by OFCOM when reporting on the adequacy of the age ratings classification systems used by providers.

Secretary Lucy Frazer

Gov 52

Clause 41, page 247, line 5, at end insert—

“(7A) In section 103A (renewal of national licences), in subsection (9)—

- (a) after paragraph (b) insert “and”;
- (b) omit paragraph (d) and the “and” before it.

(7B) In section 111 (power to revoke licences)—

- (a) omit subsection (4) (procedure where national service ceases to be provided);
- (b) in subsection (6), omit “, (4)”.

Member's explanatory statement

This amendment removes the procedure for revocation that may be used in certain cases involving licences for national analogue radio services.

Jamie Stone

7

Clause 44, page 253, line 13, leave out subsection (3)

Member's explanatory statement

This amendment and Amendments 8 to 13 would broaden the scope of the requirements placed by the

Bill on local radio broadcasting licences, so that the current scope of local material as news, information and other spoken material is retained.

Jamie Stone

8

Clause 44, page 254, line 3, leave out “news and information” and insert “news, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Jamie Stone

9

Clause 44, page 255, line 5, leave out “news and information” and insert “news, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Jamie Stone

10

Clause 44, page 255, line 7, leave out “news and information” and insert “news, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Jamie Stone

11

Clause 44, page 255, line 11, after “news” insert “, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Jamie Stone

12

Clause 44, page 256, line 1, after “news” insert “, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Jamie Stone

13

Clause 44, page 256, line 6, after “news” insert “, information and other spoken material and music”

Member's explanatory statement

See explanatory statement to Amendment 7.

Secretary Lucy Frazer

Gov 53

Clause 48, page 272, line 14, at end insert—

“(5A) Subsection (4) applies in relation to the making of regulations under subsection (5) as it applies in relation to the making of regulations under subsection (1).”

Member's explanatory statement

This amendment provides for consultation before the making of regulations under section 362BB(5) of the Communications Act 2003.

Secretary Lucy Frazer

Gov 54

Clause 48, page 306, line 21, at end insert—

“(11A) In this section, a reference to the functions of OFCOM under this Part includes a reference to their functions under Schedules 16A and 16B, so far as relating to this Part.”

Member's explanatory statement

This amendment makes provision about the reference to OFCOM's functions under Part 3B in section 362BQ of the Communications Act 2003.

Secretary Lucy Frazer

Gov 55

Clause 48, page 312, line 15, leave out “confirmation” and insert “contravention”

Member's explanatory statement

This amendment corrects a drafting error.

Secretary Lucy Frazer

Gov 56

Clause 48, page 327, line 22, at end insert—

“(9A) In this section, a reference to the functions of OFCOM under this Part includes a reference to their functions under Schedules 16A and 16B, so far as relating to this Part.”

Member's explanatory statement

This amendment makes provision about references to OFCOM’s functions under Part 3B in section 362BX of the Communications Act 2003.

Secretary Lucy Frazer

Gov 57

Clause 48, page 336, line 9, at end insert “and (so far as relating to this Part)”

Member's explanatory statement

This amendment expands the reference to Part 3B in section 362BZ1(b) of the Communications Act 2003.

Secretary Lucy Frazer

Gov 58

Clause 48, page 336, line 14, after “Part” insert “or (so far as relating to this Part)”

Member's explanatory statement

This amendment applies section 362BZ2 of the Communications Act 2003 to notices given by OFCOM under Schedule 16B, so far as relating to Part 3B.

Secretary Lucy Frazer

Gov 59

Clause 48, page 342, line 15, at end insert—

““internet radio service” has the meaning given by section 362BF;”

Member's explanatory statement

This amendment is an addition to the defined terms listed in section 362BZ4(1) of the Communications Act 2003.

George Eustice

2

Clause 50, page 345, line 17, leave out subsections

(2) and (3) and insert—

“(2) Section 40(3) of the Crime and Courts Act 2013 is omitted.”

Member's explanatory statement

This amendment would allow the Secretary of State the option in future of commencing subsection 2 of Section 40 of the Crime and Courts Acts 2013.

George Eustice

3

Clause 55, page 349, line 13, leave out “50” and insert “(Consultation on section 50)”

Member's explanatory statement

This amendment, together with Amendment 4 and NC3, would require the Secretary of State to consult on alternative incentives to encourage publishers or regulators to seek recognition under the terms of the Royal Charter for the Self-Regulation of the Press, and to lay a report on the consultation before Parliament, before section 50 could be commenced.

George Eustice

4

Clause 55, page 350, line 4, at end insert—

“(ga)section 50 (but see section (Consultation on section 50));”

Member's explanatory statement

See explanatory statement to Amendment 3.

Secretary Lucy Frazer

Gov 60

Schedule 1, page 359, line 22, leave out “an on-demand programme service” and insert “a qualifying audiovisual service other than one to which paragraph (a) relates”

Member's explanatory statement

This amendment alters paragraph 10(1)(b) of Schedule 12 to the Communications Act 2003, inserted by paragraph 4(b) of Schedule 1, to refer to qualifying audiovisual services.

Secretary Lucy Frazer

Gov 61

Schedule 1, page 360, line 2, leave out “the duty under paragraph 7(1)” and insert “a duty imposed by virtue of paragraph 7(1) or (4)”

Member's explanatory statement

This amendment adds a reference to the duty of S4C imposed by virtue of paragraph 7(4) of Schedule 12 to the Communications Act 2003.

Secretary Lucy Frazer

Gov 62

Schedule 1, page 360, line 11, at end insert—after sub-paragraph (11) insert—

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

Member's explanatory statement

This amendment is consequential on Amendment 60.

Secretary Lucy Frazer

Gov 63

Schedule 2, page 362, line 17, leave out “In section 97 (listed events)” and insert—

“(1) Section 97 (listed events) is amended as follows.

(2) In subsection (2)(d), for “televise” substitute “show”.”

Member's explanatory statement

This amendment and Amendments 64 and 65 add amendments of the Broadcasting Act 1996 similar to those in paragraphs 14(2) and 15 of Schedule 2.

Secretary Lucy Frazer

Gov 64

Schedule 2, page 366, line 16, at end insert—

“(5A) In subsection (4)(a), for
“televise” substitute “show”.”

Member's explanatory statement

See explanatory statement for Amendment 63.

Secretary Lucy Frazer

Gov 65

Schedule 2, page 366, line 14, after “(4)” insert “—
(a) in paragraph (c), for “televise”
substitute “show”.”

Member's explanatory statement

See explanatory statement for Amendment 63.

Secretary Lucy Frazer

Gov 66

Schedule 2, page 369, leave out lines 1 to 3

Member's explanatory statement

This amendment removes an unnecessary change to
section 105 of the Broadcasting Act 1996.

Secretary Lucy Frazer

Gov 67

Schedule 2, page 369, line 14, at end insert “, or

(b) is available for use by members of the public (within the meaning of section 368R(4) of the Communications Act 2003).”

Member's explanatory statement

This amendment relates to the meaning of a reference in Part 4 of the Broadcasting Act 1996 to an on-demand programme service or a non-UK on-demand programme service being available to members of the public.

Secretary Lucy Frazer

Gov 68

Schedule 2, page 369, line 17, leave out from second “a” to end of line 19

Member's explanatory statement

This amendment is consequential upon Amendment 27.

Secretary Lucy Frazer

Gov 69

Schedule 2, page 369, line 23, at end insert—

“(aa) 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) of the Communications Act 2003.”

Member's explanatory statement

This amendment adds provision about the meaning of references in Part 4 of the Broadcasting Act 1996 to providing an on-demand programme service or a non-UK on-demand programme service.

Secretary Lucy Frazer

Gov 70

Schedule 2, page 370, leave out lines 1 to 5

Member's explanatory statement

This amendment is consequential upon Amendment 28.

Secretary Lucy Frazer

Gov 71

Schedule 2, page 370, line 13, after “Part” insert “as it relates to relevant services of the kind described in section 98”

Member's explanatory statement

This amendment secures consistency within section 105(1D) of the Broadcasting Act 1996, inserted by Schedule 2.

Secretary Lucy Frazer

Gov 72

Schedule 4, page 396, line 16, at end insert—

“23A In section 107 (code relating to avoidance of unjust or unfair treatment or interference with privacy), in subsection (5)(b), for “the Welsh Authority”, in both places it occurs, substitute “S4C”.”

Member's explanatory statement

This amendment adds a consequential amendment relating to S4C.

Secretary Lucy Frazer

Gov 73

Schedule 4, page 408, line 15, at end insert—

“(2A) In sub-paragraph (2), after “of a” insert “television”.”

Member's explanatory statement

This amendment secures that the relevant purpose set out in paragraph 10(2) of Schedule 12 to the

Communications Act 2003 relates to television programme services.

Secretary Lucy Frazer

Gov 74

Schedule 5, page 424, line 22, after “to” insert “an on-demand programme service that is”

Member's explanatory statement

This amendment clarifies the reference to on-demand programme services that are Tier 1 services by virtue of section 368HA(1)(a) of the Communications Act 2003.

Miriam Cates

17

Schedule 5, page 432, line 21, at end insert—

“(aa) persons designated by the Secretary of State as the responsible authority under Section 4(1) of the Video Recordings Act 1984;”

Member's explanatory statement

This amendment ensures that the British Board of Film Classification is consulted by OFCOM when drawing up the Video on Demand codes.

Secretary Lucy Frazer

Gov 75

Schedule 5, page 436, leave out lines 12 to 122

Member's explanatory statement

This amendment removes repeated text.

Jamie Stone

14

Schedule 5, page 438, line 15, leave out “40 per cent” and insert “80 per cent”

Member's explanatory statement

This would require Tier 1 on-demand services to provide subtitling for 80% of their on-demand TV content from the second anniversary of the publication of the accessibility code.

Jamie Stone

15

Schedule 5, page 438, line 20, leave out “5 per cent” and insert “10 per cent”

Member's explanatory statement

This would require Tier 1 on-demand services to provide audio-description for 10 per cent of their on-demand TV content from the second anniversary of the publication of the accessibility code.

Schedule 5, page 439, line 3, leave out “2.5 per cent” and insert “5 per cent”

Member's explanatory statement

This would require Tier 1 on-demand services to provide sign language presentation or translation for 5 per cent of their on-demand TV content from the second anniversary of the publication of the accessibility code.

Schedule 7, page 478, line 13, at end insert—

“(4) In Schedule 9 to that Act (certain internet services not subject to duties relating to regulated provider pornographic content)—

(a) in the italic heading before paragraph 5, after “services” insert “and non-UK on-demand programme services that are Tier 1 services”;

- (b) in paragraph 5 (on-demand programme services (entire internet service))—
- (i) in sub-paragraph (1), after “programme service” insert “or a non-UK on-demand programme service that is a Tier 1 service”;
 - (ii) in sub-paragraph (2), for “has” substitute “, “non-UK on-demand programme service” and “Tier 1 service” have”;
 - (iii) in sub-paragraph (2), for “section 368A” substitute “sections 368A, 368AA and 368HA”;
- (c) in the italic heading before paragraph 6, after “services” insert “and non-UK on-demand programme services that are Tier 1 services”;

- (d) in paragraph 6 (on-demand programme services (part of internet service))—
 - (i) in sub-paragraph (2) (a), after “programme service” insert “or a non-UK on-demand programme service that is a Tier 1 service”;
 - (ii) in sub-paragraph (3), after “programme service” insert “or a non-UK on-demand programme service that is a Tier 1 service”.

Member's explanatory statement

This amendment adds to the descriptions of internet services that are listed in Schedule 9 to the Online Safety Act 2023 and are therefore internet services that are “exempt” for the purposes of Part 5 of that Act.

Secretary Lucy Frazer

Gov 77

Schedule 11, page 501, line 20, after “362AZ(6)(a)” insert “or (as the case may be) ”

Member's explanatory statement

This amendment adds a reference to the corresponding provision in Part 3B of the Communications Act 2003 (inserted by clause 48).

Order of the House

[21 November 2023]

That the following provisions shall apply to the Media Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 14 December 2023.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
-
-

