

Consultation response form

Question	Your response
<p>Question 1: What matters should Ofcom take into account in defining “live’ coverage”? We’d particularly welcome views on:</p> <ul style="list-style-type: none"> • The existing approach treating coverage shown while the event is in progress as “live”; • Where live coverage of an event begins and ends; and • How the definition may need to reflect new functionalities, e.g. ‘watch from the start’ 	<ul style="list-style-type: none"> • The existing approach treating coverage shown while the event is in progress as “live”; <p>RMG concurs with the Code’s statement that no single definition of ‘live’ is possible in respect of the different durations and schedules of different Listed Events. RMG concurs with the Code’s interpretation as set out in the consultation document that:</p> <ul style="list-style-type: none"> ▪ “the restrictions on live coverage will apply while the event concerned is in progress; ▪ if the event involves separate games or matches, the restrictions will apply while each game or match is in progress; ▪ in the case of a single event which is scheduled to last over several days, the restrictions will apply to each day’s play, while it is in progress; ▪ in the case of an event which consists of defined separate parts which overlap in time (e.g., the Olympic Games or the FIFA World Cup Finals) and cannot therefore be televised simultaneously in full, the restrictions will apply to each match or competition as if it was a single event.” <ul style="list-style-type: none"> • Where live coverage of an event begins and ends; <p>In terms of where live coverage of an event begins and ends, RMG believes that in order to satisfy its audience, it is necessary for a broadcaster to adequately introduce the event, the relevant competition and the competitors. Equally, after the event, it is necessary to assess the outcome of such event and adequately commentate on and summarise what the audience has just witnessed.</p>

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	<p>Noting that Listed Events vary in terms of their duration and scheduling, multi-sport etc, RMG believes that, just as in respect of a definition of 'live', no single definition to cover this adequate provision of pre-event and post-event context is possible.</p> <p>This is in line with RMG's response to the previous DCMS consultation on the Media Act, where RMG suggests that a different approach may be required for UK-based sports with a single event compared to overseas multi-sports competitions. RMG recognises that other rights holders may have a different perspective.</p> <ul style="list-style-type: none"> • How the definition may need to reflect new functionalities, e.g. 'watch from the start' <p>RMG believes that 'watch from the start' functionality referenced here is in the same category as on-demand rights. The ability to offer such on-demand rights as part of broadcast packages for Listed Events is essential for a broadcaster – a package without these rights would lack appeal to broadcasters and be detrimental to viewers, noting that RMG believes that as a high level general principle these on-demand rights should be non-exclusive.</p>
<p>Question 2: What factors should Ofcom take into account in defining adequate live coverage? We'd particularly welcome views and evidence on:</p> <ul style="list-style-type: none"> • The ways in which audiences engage with coverage of multi-sport events and how this has changed over time, and • The considerations that underpin arrangements where both PSBs and providers of non-qualifying services acquire live rights (including from rightsholders). 	<p>RMG's response to this consultation is written from the perspective of a UK based rights holder with single events taking place in a UK timezone and with the majority of consumption being of a single feed of coverage (as for the Grand National and the Derby). This is very different to a multi-sports event such as the Olympic Games that generally takes place overseas with many hours of coverage of many simultaneous sports events across two weeks of competition. RMG does not offer a view other than that it respectfully suggests that OFCOM should consider those broad differences between Listed Events in its implementation of the Media Act 2024 in respect of Listed Events.</p>

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<p>Question 3: What factors should Ofcom take into account in defining adequate alternative coverage for Group B events? We'd particularly welcome views and evidence on:</p> <ul style="list-style-type: none"> • The minimum duration and maximum delay provisions; • The requirement for live radio commentary for Group B events; and • The ways in which audiences engage with highlights and radio coverage for Group B events and how this has changed over time. 	<ul style="list-style-type: none"> • The minimum duration and maximum delay provisions; <p>RMG recognises that other rights holders may have a different perspective on the licensing of highlights provisions and the associated minimum duration and maximum delay provisions for commercial reasons, depending on the structure/scheduling of the relevant Listed Event.</p> <p>For example, in respect of the Grand National and the Derby, RMG has commercial arrangements in place with the relevant PSB that specify relevant minimum durations and maximum delay provisions (which fall within the current limits). RMG believes that such arrangements do not need to be mandated in the Code anymore than they are currently and can be agreed commercially between rights holders and broadcasters.</p> <ul style="list-style-type: none"> • The requirement for live radio commentary for Group B events <p>RMG proposes that non-exclusive radio coverage of Listed Events should continue to be allowed given the nature of the spectrum and changes to how radio is received by audiences. For example, RMG operates a non-exclusive licensing regime in respect of radio coverage at the Derby and the Grand National which includes providing access to BBC, Talksport and local radio stations.</p> <ul style="list-style-type: none"> • The ways in which audiences engage with highlights and radio coverage for Group B events and how this has changed over time. <p>RMG sees significant changes in how audiences engage with highlights. For its own part, RMG makes extensive use of digital rights as part of its work to commercialise horse racing's media and, crucially, to reach younger audiences across a range of different platforms in different formats. RMG believes that as a high level general principle, such highlight rights for Listed Events should be able to be licensed on a non-exclusive basis.</p>
<p>Question 4: What matters should Ofcom consider when revising the listed events Code? We'd particularly welcome views on:</p>	<p>RMG has no comments to Question 4.</p>

Question	Your response
<ul style="list-style-type: none">• Ofcom’s approach and process for giving and revoking consent;• Ofcom’s approach and process for giving and revoking consent to televise an event designated by an EEA State or other CTT State;• Ofcom’s approach to enforcing compliance with restrictions on showing live coverage of a listed event without authorisation; and• Any additional comments on revising the Code.	