



# Media Bill: Ofcom's roadmap to regulation

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# 1. Introduction

## About this document

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- 1.1 The UK’s broadcasting and media landscape is one of the most diverse, creative, and vibrant anywhere in the world. Audiences across the UK enjoy an incredible range of services, programming and journalism created through a mix of public and private innovation and investment, nurtured by a robust and stable regulatory framework. It is thanks to these conditions that every one of us continues to be able to access reliable news, information, and entertainment that enriches our cultural lives.
- 1.2 However, these conditions are changing. Over the past decade, the ways in which we can watch and listen to content have transformed. The passage of the [Media Bill](#) therefore comes at an important moment.
- 1.3 As the first major update to UK legislation in this area for 20 years, the Bill amends requirements on PSB and audio services, places new obligations on connected platforms and strengthens regulation of Video-on-Demand (VoD) services. Building on recommendations made by us in our last major review of public sector media, [Small Screen: Big Debate](#), the Bill provides us with new tools to ensure that UK viewers and listeners can continue to access high quality programming and journalism.
- 1.4 The Bill makes changes to some of Ofcom’s existing responsibilities, such as how we regulate commercial radio and how we ensure PSBs deliver against their quotas. It also introduces new duties, such as a requirement for us to put in place new regimes for online TV prominence and voice assistants, as well as a new standards code for VoD services.
- 1.5 Ofcom welcomes the changes made by the Media Bill. We are committed to implementing these new rules as quickly as possible in a way that is fair, proportionate and effective. This document explains our high-level plan for doing so.
- 1.6 Stakeholders should take careful note that the approach set out in the following pages is based on our current understanding of our new duties; these may change as Parliamentary scrutiny of the Bill continues. Similarly, the timetable for Parliamentary processes (including the scheduling of secondary legislation required to bring some parts of the Bill into effect) as well as for Ofcom consultations and reports - both of which we have included below to illustrate the potential sequence of our work and help interested parties plan engagement with us - should be viewed as indicative and subject to change. We will provide updates to keep stakeholders informed once the Bill completes its passage through Parliament.

## 2. Changes introduced by the Bill

### The Bill provides much needed reform to regulation of the UK's public service media

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- 2.1 The past decade has been a period of radical change in the way we access news, information, and entertainment. Although live broadcast TV and radio services continue to be widely used and valued, the expanded level of choice enabled by technological change and embraced by audiences has gone hand in hand with declines in linear viewing and listening. People in the UK watched on average 30% less broadcast TV in 2022 compared to 2014. Among younger audiences, viewing has declined at a much faster rate, falling by 72% over the same period for those aged 16-24. The proportion of the population listening to live radio (AM/FM) has decreased from just under half (49%) to less than a third (32%) in the last five years.
- 2.2 Today, the range of content available to audiences continues to grow. Netflix released its first original series, *House of Cards*, in 2013. By 2022, it was spending over £13bn on original and licensed programming each year, including around £1.2bn on original UK productions. Audiences are responding to this increasing choice by watching and listening on-demand in ever increasing numbers. According to Barb, in 2023 two thirds (67%) of households subscribed to a least one video-on-demand service. IPA TouchPoints reported that around half (47%) of adults listen to streamed music on a weekly basis in the first half of the year.
- 2.3 After several decades where their services were structured around linear distribution, broadcasters have been adapting to audience expectations. The UK's public service broadcasters (PSBs) have each developed on-demand players offering original content, as well as some exclusive and licensed programming, which can be accessed on a wide range of devices including smartphones and tablets, laptops, and smart TVs. At the same time, radio services have become both more diverse and available on a broader range of devices, including voice assistants.
- 2.4 However, while audience habits have changed, the legislative framework in which these broadcasters operate has not. The current rules largely reflect the technology and usage patterns of the 1990s and early 2000s. The PSBs' on-demand players continue to be largely excluded from the regulatory regime. Similarly, while many UK radio stations remain subject to regulatory requirements dating back in some cases to 1990, the largely unregulated streaming and podcast services they compete with – and voice activated services they increasingly rely on – are barely mentioned at all.
- 2.5 In our 2021 review of public service broadcasting, [Small Screen: Big Debate](#), we made a set of recommendations to Government on how to modernise the audiovisual media regulatory framework. In response to those recommendations, and those of the Government's conclusions to its [2017 consultation on commercial radio](#) and the [DCMS-commissioned Digital Radio & Audio Review 2021](#), Government published its [Up Next](#) White Paper in 2022, setting out its intention to legislate to support the UK's PSB system. The subsequent Media Bill makes important changes designed to support both PSBs and UK radio services to continue to deliver highly valued content to

audiences across a range of services and platforms. This document describes how we will work to implement these changes.

- 2.6 Alongside this work, Ofcom will also shortly begin our next PSB review. As well as assessing how the PSBs have fulfilled their purposes over the last five years, we will once again look ahead at the challenges to come as rapid change continues. We will consider what is needed to ensure audiences benefit from accurate, well-funded and trustworthy news in a world increasingly dominated by social media, to sustain a diverse PSB system and to support a thriving production sector well into the future.

## Scope of the Media Bill

- 2.7 The Bill contains a range of measures amending the regulatory framework and Ofcom's duties:
- **Part 1 updates the legislative framework for public service television broadcasting.** This section of the Bill revises a regulatory framework based on linear scheduling that is increasingly out of step with audiences. It amends PSB remits and requirements to focus on the most important areas of public service delivery, with the aim of giving broadcasters greater flexibility to meet their obligations in a way which serves audience interests. Further, as more and more firms compete for the rights to show sporting events, Part 1 of the Bill also makes changes to the listed events framework to protect the ability of people across the UK to access events of national interest.
  - **Part 2 introduces new rules to ensure public service content is available, prominent, and easily accessible on a range of connected TV platforms, such as smart TVs.** This section, building on [recommendations](#) made by Ofcom in 2019, complements the existing framework – which requires only the prominence of linear PSB channels on regulated electronic programme guides (e.g. Sky's EPG) – with a new one requiring a broader range of platforms to carry and prominently display the on-demand players on which PSBs distribute public service programming. It requires Ofcom to establish new Codes, guidance and dispute resolution processes designed to ensure a fair and sustainable system that serves audiences.
  - **Part 3 gives Channel 4 more flexibility within its operating model and updates S4C's legislative framework.** This section of the Bill gives Channel 4 the ability to produce and monetise its own programming – removing the publisher/broadcaster model which has been in place for over 40 years. It also introduces a new duty on the Channel 4 Corporation (C4C) Board to ensure C4C's long-term financial sustainability. The changes affecting S4C, which are not for Ofcom to implement, will broaden its remit to include digital and online services, allow S4C to offer its content on a range of platforms and remove the geographical restrictions that have limited its ability to provide services outside of Wales. It also provides a statutory footing to the new unitary board and audit arrangements recommended by the independent review of S4C.
  - **Part 4 places new standards and accessibility requirements on mainstream, TV-like video-on-demand services.** Although VoD services are now watched by millions of UK viewers, they are not subject to the requirements of Ofcom's Broadcasting Code, which sets standards for content including due impartiality and due accuracy in news. This part of the Bill means that mainstream VoD

services will become subject to editorial standards similar to those which protect audiences from harmful material on broadcast TV. It also introduces accessibility requirements to ensure that more people with disabilities can use and enjoy these services, reflecting the [recommendations](#) we last made in 2021.

- **Part 5 updates the regulatory framework for commercial radio.** Commercial radio services in the UK are currently regulated under a licensing framework that is, in large part, more than 30 years old. This section reflects the conclusions of the Government's [2017 consultation on commercial radio deregulation](#) to remove outdated regulatory burdens on radio services, while protecting and strengthening the provision of local news.
- **Part 6 introduces provisions to protect UK radio's availability on connected audio devices.** Reflecting recommendations made in the [DCMS-commissioned Digital Radio & Audio Review 2021](#), this section will ensure that UK radio stations are reliably provided in response to listeners' commands to voice-activated online platforms available via devices like smart speakers. It will also ensure that stations are not charged by these platforms to make their live services available to listeners.

# 3. Putting the Media Bill into practice

## Our approach to regulation

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- 3.1 The aim of the Media Bill is to ensure both the continued availability to UK audiences of a wide range of high-quality live and on-demand TV and radio services, and that these audiences are appropriately protected from harmful or offensive material. In our approach to implementing the Bill, we will consult openly and use the range of evidence and research available to us to secure the best outcomes for people across the UK.
- 3.2 In some areas of the Bill, regulated providers will have more flexibility than before in how they meet obligations. For example, PSBs will have greater freedom to determine how best to serve audiences across platforms than has been the case to date. However, the Bill is also clear about the importance of protecting the provision on linear services of trusted news and current affairs and a diverse range of programming. In taking forward the Bill, we will remain mindful of the need to ensure that public service media remains universally available, relevant, and publicly accountable.
- 3.3 The Bill also aims to support UK media businesses as they seek to transform their services to adapt to shifts in technology and audience behaviour. Companies impacted by the new legislation, including many not previously subject to regulation by us, face a wide range of opportunities and challenges to respond to the Bill's requirements. Through our engagement with industry, we will seek to understand the impact of regulatory proposals on all parties before we make the decisions needed to bring new frameworks into effect.

## Implementation across the Bill

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- 3.4 Our implementation timetable will be determined by the timing of the Bill's passage through Parliament. Our current planning assumptions are based on the contents of the Bill as it stood when the House of Commons completed its initial assessment in January 2024 and are subject to change as Parliamentary scrutiny continues.
- 3.5 The plan that follows assumes the Bill will receive Royal Assent by the summer, with its provisions brought into force and necessary secondary legislation subsequently laid before Parliament. We will look to begin consulting on aspects of the new regime as soon as possible, while consulting fully and transparently on our plans, giving stakeholders sufficient time to comment, and ensuring that we are able to consider all the feedback we receive carefully.
- 3.6 Where it is possible to do so, we will look to accelerate our timetable as compared to the proposals set out in this paper. Given the number and range of steps required we anticipate that the full implementation programme, including the designation of

relevant services, the development of new codes and new guidance for industry and necessary changes to licences will take place in phases over the next two years.

## Fees

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- 3.7 The Bill will require changes to the Ofcom fee structures for many services that we currently regulate. It will also bring new services into scope of our regulation (including connected TV platforms, voice-activated services and some non-UK based VoD services) and we will need to establish new funding regimes for these organisations. Much of this work will come later in the implementation programme, with consultations on new fee structures unlikely to be issued before the second half of 2025. Our current aim, subject to the legislative timetable discussed above, is to have a revised fee regime in place before April 2026.



# 4. Implementation plan in detail

4.1 This section outlines our current plan to implement each part of the Media Bill once it comes into force. This document is not intended to offer guidance to regulated parties on any new obligations resulting from the Bill, or to be exhaustive in its coverage of every area of the new legislation. More information on compliance will be provided in the codes and guidance which we will consult on as part of the implementation process.

## Part 1: Public Service Television

### Timeline for implementation



### Summary of changes

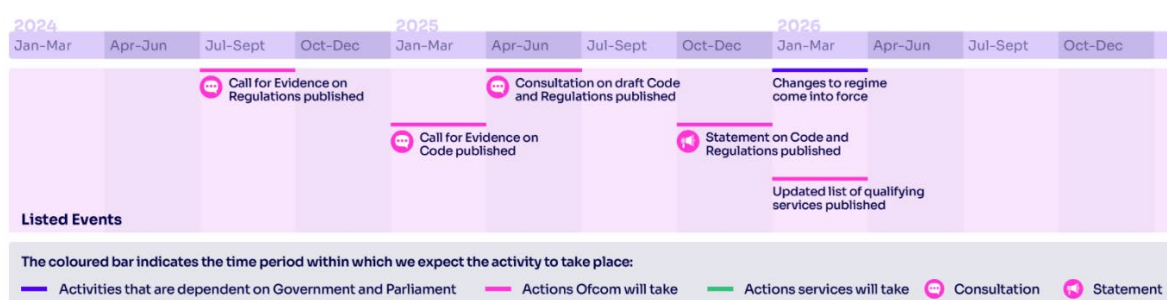
- 4.2 This section of the Bill applies to the BBC, S4C, and the licensed commercial public service broadcasters ITV, STV, Channel 4 and Channel 5.
- 4.3 Under this part of the Bill, the PSBs collectively will have an updated and modernised public service remit deliverable across a broader range of audio-visual services (including their on-demand players and services provided by third parties). The licensed PSBs and S4C will be required to publish annual statements of programme policy (known as SoPPs) explaining how they intend to fulfil their individual public service remits (including which audiovisual services they will use to do so, and the contribution these services will make).
- 4.1 The PSBs will remain subject to quota obligations, including obligations to commission content from independent producers and to produce content outside the M25. However, for the first time, they will be able to deliver many of these via on-demand services as well as via their main linear channels. Their licences will need to be updated accordingly.

## Proposed process for implementation and stakeholder engagement

- 4.2 Once the Bill becomes law, the Government will prepare secondary legislation on a range of matters, including the meaning of ‘independent’ and ‘original’ productions and provisions regarding the treatment of repeats in relation to quotas.
- 4.3 When this has happened, we plan to consult as soon as possible on our proposed methodology for determining appropriate quota levels. We will also consult on guidance for PSBs on the preparation of SoPPs and revised guidance on the codes of practice which PSBs must have in place when commissioning from independent producers. We expect to finish our consultations and publish the final versions of these documents in mid-2025. These changes will impact on commercial PSB independent production, original production, and regional productions quotas – as well as the independent production and original productions quota for S4C. The Bill also makes comparable a provision for the BBC's independent productions quota.
- 4.4 Any changes we make to licence conditions will take account not only of the Bill but also other concurrent regulatory processes, including the PSB review. Licence variations and new requirements for SoPPs and commissioning codes of practice are likely to take effect from 2026.
- 4.5 In due course, we will also need to consult on changes to our statement of principles on the calculation of PSB qualifying revenue, as the Bill expands the scope of the calculation for the purpose of financial penalties to include revenue from designated on-demand services (known as internet programme services or IPS).

## Part 1: Listed Events

### Timeline for implementation



### Summary of changes

- 4.6 ‘Listed events’ are sporting or other events of national interest designated by the Secretary of State to help ensure that broadcasts of these events are widely available. The current regime designates certain linear channels – those free-to-air channels which are receivable by at least 95% of the population – as “qualifying services” to whom rights must be made available. All broadcasters must apply to Ofcom for consent where they have the exclusive rights to show listed events.
- 4.7 The Bill changes these criteria so that in future only services provided by a PSB may now qualify. It also broadens the scope of the regime to capture a range of new

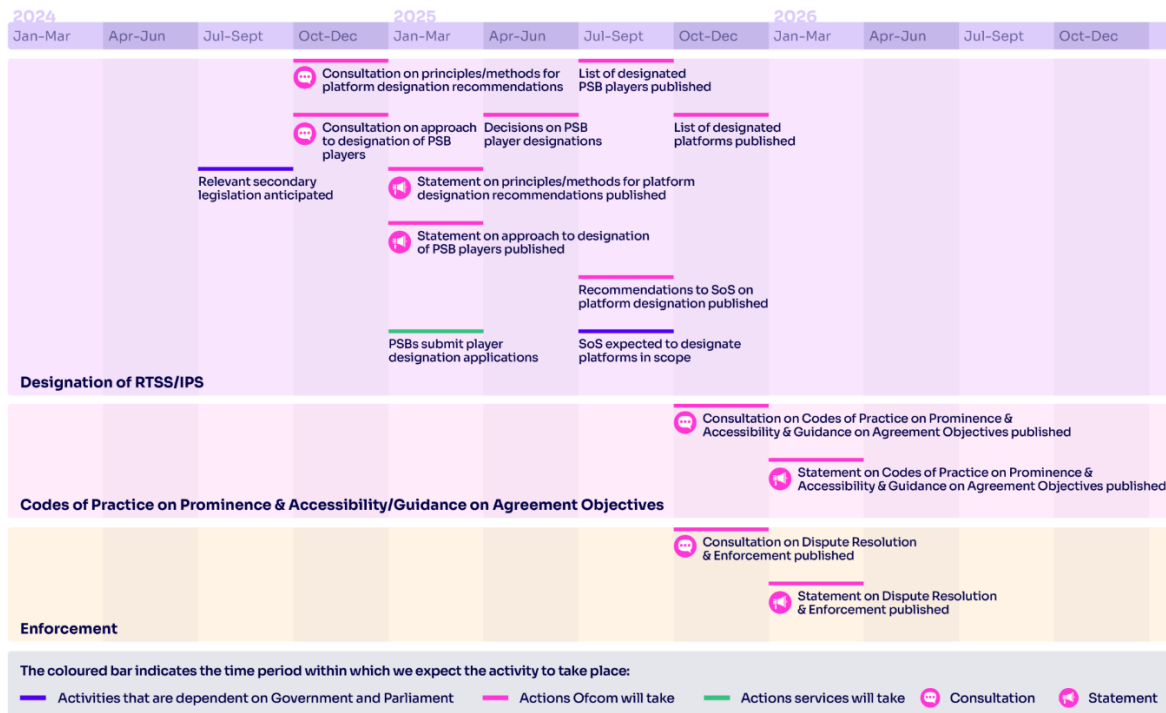
providers, including streaming services, who may be required to apply to Ofcom for consent to show coverage if they acquire exclusive live rights to a listed event.

## Proposed process for implementation and stakeholder engagement

- 4.8 Following Royal Assent, we will be required to draft regulations to define the meaning of certain terms used in the listed events regime, including ‘adequate live coverage’ and ‘adequate alternative coverage’. We expect to launch a call for evidence in the summer to gather stakeholder input ahead of consultation. We will also look to revise our Code on listed events to explain the basis on which we will give or revoke consent. We intend to seek the views of stakeholders on this early in 2025, with a consultation on the revised Code and regulations to follow later that year.

## Part 2: Availability & Prominence

### Timeline for implementation



### Summary of new duties

- 4.9 This part of the Bill will introduce new rules to ensure online PSB services are both available on popular TV platforms and capable of being easily found and discovered by audiences. The rules are complex, but in broad terms the Bill will require designated platforms to “carry” on-demand players “offered” to them by the public service broadcasters.
- 4.10 Once the Bill becomes law, the Secretary of State will issue an order specifying the types of devices and technical equipment that will be covered by the regime, likely to include both smart TVs and set-top boxes that enable users to access on-demand apps

such as the BBC iPlayer. Ofcom must then provide her with recommendations on which services and platforms may be subject to regulation if they are used by a “significant number” of members of the public to access TV content online. The decision as to which platforms are then to be designated within the regime lies with the Secretary of State.

- 4.11 On the other side of the equation, if their online services are to benefit from the new rules, commercial PSBs – there is a separate process for the BBC iPlayer – must apply to us for designation of their on-demand players. We will need to consider these applications against criteria specified in the Bill, including whether the player is capable of making “a significant contribution to the fulfilment of the PSB remit.”
- 4.12 Once designated, the PSBs and the platforms will be subject to "must offer" and "must carry" requirements. Ofcom will issue guidance on objectives that their commercial arrangements must meet. Platforms will also be required to ensure that the PSB players as well as content that contributes to the delivery of PSB remits are prominently located on their services and that these services are accessible to those with disabilities (particularly those affecting sight or hearing). Ofcom must issue Codes of Practice giving recommendations on how to comply with these requirements. Where parties cannot reach commercial agreements, Ofcom has powers to resolve disputes if certain conditions are met.

## Proposed process for implementation and stakeholder engagement

- 4.13 The availability and prominence rules introduced in the Bill are both complicated and novel and will bring into scope TV platforms that we have not previously regulated. We welcome active engagement from all stakeholders over the coming months to help them understand the new rules and ensure these are applied fairly and effectively.
- 4.14 In the first implementation phase we intend to focus on the processes for designating the services in scope. Later this year we will publish a consultation explaining how we intend to apply the criteria for the designation of PSB online players alongside our plans for running the application process. We also intend to consult this year on the methodology we will use to give advice to the Secretary of State about platform designation. Currently, we plan to issue final statements and our report to the Secretary of State by mid-2025, although we will seek to accelerate our work if it is possible to do so.
- 4.15 During the second implementation phase, we will focus on drafting the codes and guidance we will put in place to secure the effectiveness of the new regime. Consultations in 2025 will consider how we recommend regulated platforms can comply with their duties to give prominence to designated PSB players and content as well as securing the accessibility of their services to people with disabilities. We will also consult on guidance for designated PSB providers and platforms about how their commercial arrangements can meet the three objectives set out in the legislation. Discussions are underway between Government and the BBC about how changes can be made to the BBC's Framework Agreement to reflect its new duties under the regime.

- 4.16 For the final stage of implementing the regime, we will publish consultations outlining our enforcement and dispute resolution procedures. We currently expect to publish consultations on both sets of procedures towards the end of 2025.

## Part 3: Channel 4

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### Summary of changes

- 4.17 This section of the Bill makes changes which affect two of the UK's publicly owned PSBs, Channel 4 and S4C. Only the changes to Channel 4 are directly a matter for Ofcom.
- 4.18 The Bill removes the long-standing restriction on C4C's involvement in programme-making, enabling it to produce content for broadcast on Channel 4 for the first time. Alongside this, the Bill also places new duties on C4C to put in place procedures that facilitate fair competition for commissions and prepare an annual statement about its commissioning policy to be reviewed by Ofcom. The Government has indicated that it intends to bring these new duties into force only when Channel 4 establishes a production business.

### Proposed process for implementation and stakeholder engagement

- 4.19 We plan to consult on guidance for C4C on preparing its statement of commissioning policy that will apply when its new duty is in force. We will seek to align, where appropriate, with the work on guidance relating to PSB codes of practice for commissioning from independent producers discussed in paragraph 4.7 above.

## Part 4: Video-on-Demand (VoD)

### Timeline for implementation



\*These do not refer to the statutory requirements set out on the face of the Bill, but interim requirements that we are expecting to impose (following consultation) via the Accessibility Code.

### Summary of new duties

- 4.20 This part of the Bill gives Ofcom new powers to draft and enforce a VoD Code, similar to the Broadcasting Code. It will bring into scope mainstream, 'TV-like' services including those which do not currently fall under UK jurisdiction, meaning these services will be subject to a similar set of rules to broadcast television.
- 4.21 This section also introduces requirements on VoD service providers to ensure their services are accessible to people with disabilities. This will mean that the existing statutory requirements for linear broadcasters to provide subtitling, audio description and signing are matched on mainstream on-demand services.

### Proposed process for implementation and stakeholder engagement

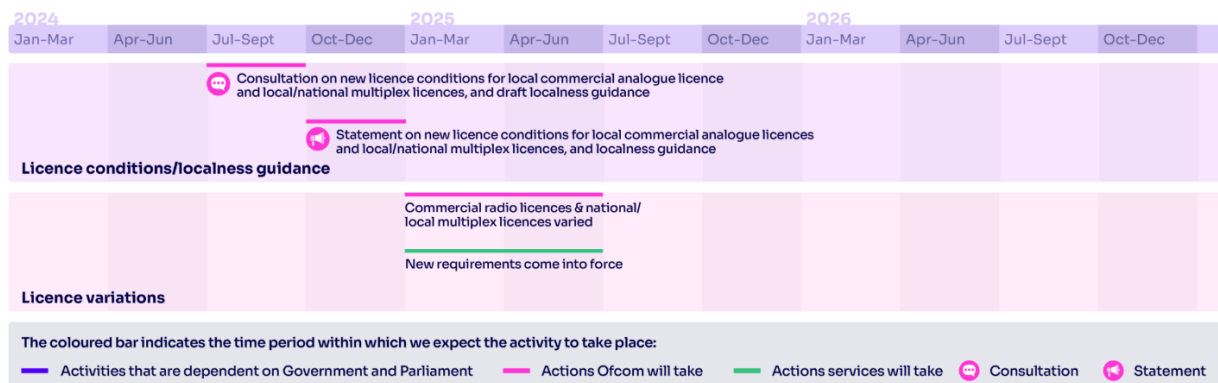
- 4.22 Although linear broadcasters have been subject to programme regulation for many decades, the introduction of a comprehensive VoD Code and accessibility requirements will represent a significant change for many VoD providers previously only subject to more limited obligations. Once the Bill comes into effect, therefore, we plan to hold roundtable discussions with key stakeholders about our plans and the new obligations.
- 4.23 Shortly after Royal Assent, we expect the Government to formally request a report from Ofcom on the state of the VoD market in the UK. The Secretary of State is required to take account of this report when determining which services will be designated as 'Tier 1' services (i.e., those subject to the new VoD Code and the new accessibility requirements). We expect to make information requests to relevant

providers to inform this report, submitting our work to the Secretary of State around the end of 2024.

- 4.24 This year, we will also begin work on our draft VoD Code and accompanying guidance, with the final documents to come into effect in 2025 following consultation. Tier 1 providers will then have a 12-month grace period from publication of the Code (or their designation as a Tier 1 service, whichever is later) before they are required to be in full compliance. We propose to use this period to consult on and finalise new procedures for the handling and resolution of complaints.
- 4.25 The Bill also requires Ofcom to review the audience protection measures implemented by VoD providers to protect audiences from harm. This includes the existing obligations to protect audiences imposed on all VoD services as well as the new requirements that will apply to Tier 1 services. We expect to begin a general review of audience protection measures in use shortly after Royal Assent.
- 4.26 Regarding the new accessibility requirements, we expect to consult on a new VoD Accessibility Code around the beginning of 2025. The first set of accessibility quotas (for subtitling, audio description and signing) set out in the Bill will come into effect 24 months after the final VoD Accessibility Code is published (i.e. likely around the middle of 2027), or 24 months after a provider is designated as Tier 1, whichever is later. However, we expect to consult on the introduction of interim access services quotas likely to apply from 2026, alongside requirements around reporting to Ofcom on accessibility and provision of information to disabled people.

## Part 5: Regulation of Radio Services

### Timeline for implementation



### Summary of changes

- 4.27 This part of the Bill removes a number of longstanding regulatory duties applying to licensed FM and AM commercial radio services and national and local radio multiplex services. Specifically, to reflect the wide range of services now available to listeners, there will no longer be requirements on local stations relating to where they make their programmes and what music they play. Ofcom’s role in regulating which radio stations are carried on DAB will also end.



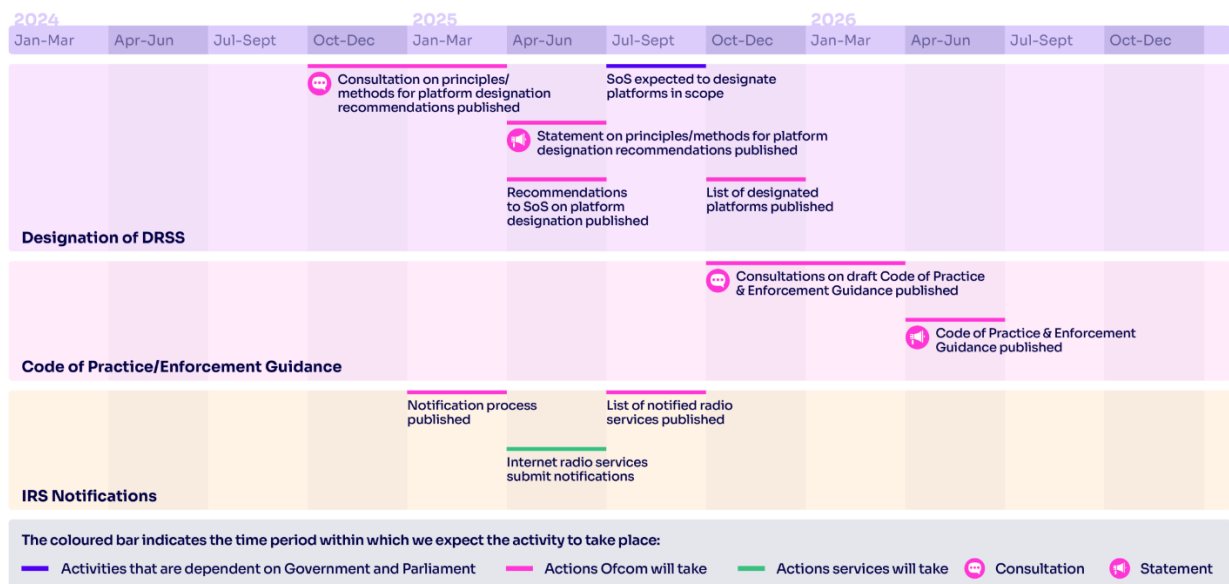
- 4.28 The Bill retains requirements for local commercial radio services to provide local news and information, introducing a new requirement for ‘locally gathered’ news. It also introduces new requirements for multiplex licensees to publish information about their costs and to provide Ofcom with information about the radio stations they carry.
- 4.29 There are also provisions which will allow for all local analogue licences to be renewed and for the UK digital licensing regime to be extended to radio stations based overseas.

## Proposed process for implementation and stakeholder engagement

- 4.30 We will engage with licensees ahead of consulting on conditions to secure the provision of local news and information, including “locally gathered” news, alongside guidance about these obligations. Our aim is to publish this consultation as soon as possible after Royal Assent, with a final statement and guidance to follow towards the end of 2024. We will then look to make updates to licences as soon as possible in 2025.
- 4.31 We plan to consult on the new requirements for holders of national and local radio multiplex licences about their carriage costs and the services they carry on a similar timetable. We will therefore look to vary multiplex licences to remove references to programme services and all related conditions, and to add the two new conditions required by the Bill, early in 2025.

## Part 6: Regulation of Radio Selection Services

### Timeline for implementation



### Summary of new duties

- 4.32 This part of the Bill covers voice-activated platforms that allow listeners to select and play a radio service. These platforms, which are available via devices like smart



speakers and in-car entertainment systems, are an increasingly important part of the audio market. The Bill brings them into regulation for the first time.

- 4.33 As with the Part 2 requirements for on-demand TV platforms, it is for the Secretary of State to decide which voice-activated platforms are to be brought into scope. To do so, she will need to decide which platforms are significant for radio listening and must both have received advice from Ofcom and consulted on her conclusions.
- 4.34 Platforms which the Secretary of State designates will have to make sure that when audiences request a particular radio service, that radio service is played – for example, “Play me Radio 4” or “Play Classic FM” should mean the platform playing Radio 4 and Classic FM – and they must not interrupt any radio stream with ads or other content. They will also have some obligations to the radio services they offer to listeners – not charging for providing them to audiences and allowing radio services to choose the route or app via which they reach audiences.
- 4.35 The Bill also specifies which radio services may benefit from these new obligations on designated voice-activated platforms. In order to qualify, internet radio services will have to play the same content at the same time as a licensed radio service (except for any advertising, which can be different). Licensed radio services can opt-in by notifying Ofcom.

## Proposed process for implementation and stakeholder engagement

- 4.36 Our first step in implementing the regime will be to determine the principles and methods we will apply in making a recommendation to the Secretary of State about which platforms should be designated. We will proactively engage with stakeholders, focusing in particular on the voice-activated platforms with whom we don’t have pre-existing regulatory relationships, and we expect to gather data from stakeholders in support of this work early in the process.
- 4.37 We plan to consult towards the end of the year on our proposed approach, with a final statement and recommendations following early in 2025. The implementation of this part of the Bill is then dependent on the Secretary of State’s designation decision, after which we will publish a final list of regulated platforms.
- 4.38 The legislation requires us to produce a Code of Practice that will set out our expectations on both designated platforms and radio services that have opted into the regime. The Code of Practice will, among other things, explain the steps platforms can take in order to ensure compliance with their duties as well as clarifying the technical and other requirements which will apply to internet radio services. We plan to launch a consultation on the draft code around the end of 2025 alongside a consultation on draft enforcement guidance. We expect to publish final versions of these documents in 2026.
- 4.39 We will develop a notification process for internet radio services who wish to opt-in and expect to publish this in 2025, at which point services should be prepared to submit their notifications. We plan to publish an initial list of notified services in 2026, when our new codes will also come into force.