

# Media Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 8**

VISCOUNT COLVILLE OF CULROSS

Clause 8, page 9, line 29 at end insert –

“(2A) After subsection (1), 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 spend on qualifying audiovisual content is allocated to independent productions made by independent production companies with an annual turnover not exceeding £25,000,000.
- (1B) The Secretary of State may by order amend subsection (1A) by substituting a different figure for the annual turnover specified in that section.
- (1C) Before making an order 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 order.””

***Member's explanatory statement***

*This amendment would add an ‘SME Guarantee’ for Channel 4 commissioning, requiring that at least 35% of Channel 4’s annual spend on qualifying audiovisual content is allocated to productions made by ‘indie’ producers with annual revenues smaller than £25m. This amendment also provides the Secretary of State the power to amend, following consultation, the revenue figure defining the production companies eligible under the SME Guarantee.*

VISCOUNT COLVILLE OF CULROSS

Clause 8, page 10, line 14, at end insert –

““annual turnover” means the reported revenues published in the annual accounts of the respective independent production company, covering the annual average over the previous 5 years.

“independent production companies” means a company which makes independent productions as defined in the Broadcasting (Independent Productions) Order 1991.”

***Member's explanatory statement***

*This amendment and another in the name of Viscount Colville to this clause would require Channel 4 to look at an independent production company's revenue over 5 years, so that it would not be restricted by a £25million cap in any one year.*

**Clause 50**

EARL ATTLEE

Clause 50, page 115, line 33, leave out subsections (2) and (3) and insert –

“(2) In Clause 61, after subsection (7) insert –

“(7A) Section 40 of this Act comes into force at the end of the period of two months beginning with the day on which the Media Act 2024 is passed.””

***Member's explanatory statement***

*This amendment, taken alongside another amendment in my name to omit section 40(3) of the Crime and Courts Act 2013, seeks to commence section 40 of that Act. This amendment seeks to protect a publisher who had signed up to an approved regulator from being liable to any court costs in most circumstances, whether they win or lose the case.*

**After Clause 50**

VISCOUNT ASTOR

After Clause 50, insert the following new Clause –

**“Consultation on incentivising recognition by the approved regulator**

- (1) Within six months of the day on which this Act is passed, 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.”

**Clause 55**

VISCOUNT ASTOR

Clause 55, page 117, line 18, leave out subsection (2)

EARL ATTLEE

Clause 55, page 117, line 21, at end insert “within the period of two years beginning with the day on which this Act is passed”

***Member's explanatory statement***

*This amendment, taken alongside another amendment in my name to Clause 55, seeks to remove the discretion allowing Ministers not to commence certain provisions of the Bill through requiring the relevant provisions to be commenced within two years of the Act receiving Royal Assent.*

*Ministers can extend this by up to two six-month periods by means of two separate orders subject to the affirmative procedure.*

VISCOUNT ASTOR

Clause 55, page 117, line 28, at end insert –

“(ga) section 50 (subject to section (*Consultation on incentivising recognition by the approved regulator*));”

EARL ATTLEE

Clause 55, page 117, line 33, at end insert “, subject to subsections (5A) and (5B).

(5A) The Secretary of State may by regulations made by the affirmative resolution procedure extend the period under subsection (3) by six months.

(5B) The Secretary of State may only make the regulations under subsection (5A) twice and may not lay a second instrument before Parliament under that subsection within one month of the first instrument being made.”

***Member's explanatory statement***

*This amendment, taken alongside another amendment in my name to Clause 55, seeks to remove the discretion allowing Ministers not to commence certain provisions of the Bill through requiring the relevant provisions to be commenced within two years of the Act receiving Royal Assent.*

*Ministers can extend this by up to two six-month periods by means of two separate orders subject to the affirmative procedure.*

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*6 March 2024*

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