

Media Bill

AMENDMENT
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

After Clause 26

BARONESS GREY-THOMPSON

After Clause 26, insert the following new Clause –

“Facilitating access to public service broadcasting

In the Communications Act 2003, before section 198 (and before the headings “Chapter 1” and “The BBC, C4C the Welsh Authority and the Gaelic media service” that precede section 198) insert –

“CHAPTER A1

CODE OF GUIDANCE ON ACCESS TO PUBLIC SERVICE BROADCASTING

197A OFCOM guidance on access to public service broadcasting services

- (1) In this section, “public service broadcasting 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.
- (2) OFCOM must prepare, publish and from time to time review guidance regarding the practices that OFCOM consider it desirable for relevant persons to adopt to promote ease of access for audiences to public service broadcasting services.
- (3) OFCOM’s guidance under subsection (2) must be contained in one or more codes.
- (4) A code under subsection (2) must contain, in particular, such guidance as OFCOM consider appropriate to promote attainment of the following objectives –

- (a) the objective that the means of selecting and using public service broadcasting services should be prominently displayed (without prejudice to section 310);
 - (b) the objective that the design and functionality of relevant devices enables such services to be found and selected without undue complexity;
 - (c) the objective that the particular needs of members of the audience who have a disability are met.
- (5) Before publishing such a code, and when reviewing such a code, OFCOM must consult –
- (a) relevant persons or representatives of such persons, and
 - (b) any other persons OFCOM consider appropriate.
- (6) OFCOM must take such steps as they consider appropriate to promote compliance with a code under subsection (2) by relevant persons.
- (7) In this section –
- (a) “relevant devices” means devices capable of receiving or displaying public service broadcasting services and any apparatus (such as remote controls) used to control such devices and to select and use such services, and includes any software associated with the operation of such devices or apparatus; and
 - (b) “relevant persons” means persons who –
 - (i) provide public service broadcasting services,
 - (ii) manufacture, create or sell relevant devices, or
 - (iii) have general control over the manner in which public service broadcasting services are presented to audiences by relevant devices.
- (8) References in this section to “audiences” are –
- (a) to all members of the public in the United Kingdom, or
 - (b) where a service is intended for audiences in a particular area of the United Kingdom, to members of the public in that area.”

Member's explanatory statement

This new Clause imposes a new requirement on Ofcom to publish voluntary guidance for relevant persons to adopt to promote ease of access for audiences to public service broadcasting services and sets out the objectives that the guidance should look to promote.

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26 April 2024

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS